

**ORDER OF AN EXECUTIVE OFFICER
CLOSED FOR TENANT ACCOMMODATION PURPOSES
ORDER TO VACATE**

To: Rentex Homes LTD. Tara Simon
"the Owner" "the Owner"

And To: All Occupant(s) of the following Housing premises:

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
201 – 10610 80 Avenue NW Edmonton, Alberta T6E 1V5

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted premises pursuant to the provisions of the **Public Health Act**, RSA 2000, c. P-37, as amended;

AND WHEREAS such inspection disclosed that the following conditions exist in and about the above noted premises which are or may become injurious or dangerous to the public health or which might hinder in any manner the prevention or suppression of disease, namely:

- a. Two of the walls and portions of the ceiling material had been removed from the areas bordering the living room and kitchen of the unit. The City of Edmonton Safety Codes Officer on-site at the time of inspection indicated the wall that had been removed from the living room was a loadbearing wall. A structural engineering report provided by the operator indicated that the removal of the loadbearing wall had led to significant structural concerns for the unit and adjacent units.
- b. Owing to the age of the building (constructed in 1981) there is a concern that the materials removed from the walls/ceilings of the unit could contain asbestos.
- c. The electrical panel within the unit had been modified by the tenant. Two additional power connections had been installed to facilitate the use of a washer/dryer. The Safety Codes Officer on-site at the time of inspection indicated this installation had not been completed under an appropriate permit and that the resulting system was unsafe.
- d. There was no working smoke alarm installed within the unit.
- e. The light fixture located between the bathroom and bedroom of the unit was not secured to the mount. The fixture was loose and hanging by the wires.
- f. There was a large hole present in the ceiling of the bathroom.
- g. The front door to the unit was cracked and broken.
- h. There was a hole in the ceiling of the unit above the washing machines.
- i. The door to the bathroom was cracked and damaged.
- j. Two of the four windowpanes for the bedroom window were missing.
- k. The flooring in the living room was damaged and large sections of the flooring material was missing.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. Two of the walls and portions of the ceiling material had been removed from the areas bordering the living room and kitchen of the unit. The City of Edmonton Safety Codes Officer on-site at the time of inspection indicated the wall that had been removed from the living room was a loadbearing wall. A structural engineering report provided by the operator indicated that the removal of the loadbearing wall had led to significant structural concerns for the unit and adjacent units. This is in contravention of Section 1(a,d) of the Minimum Housing and Health Standards, which states that “Good repair, safe condition and structurally sound. (a) The housing premises shall be structurally sound.... (d) Repairs or modifications required by the Executive Officer of any structural element of the housing premises may require the design and/or supervision of a professional structural engineer or a Safety Codes Officer (Building Discipline).”
- b. Owing to the age of the building (constructed in 1981) there is a concern that the materials removed from the walls/ceilings of the unit could contain asbestos. This is in contravention of Section 5(2) of the Alberta Housing Regulation (AR 173/99) which states that “No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.”
- c. The electrical panel within the unit had been modified by the tenant. Two additional power connections had been installed to facilitate the use of a washer/dryer. The Safety Codes Officer on-site at the time of inspection indicated this installation had not been completed under an appropriate permit and that the resulting system was unsafe. This is in contravention of Section 11 of the Minimum Housing and Health Standards, which states that “Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”
- d. There was no working smoke alarm installed within the unit. This is in contravention of Section 12 of the Minimum Housing and Health Standards, which states that “Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the unit and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway. (a) Smoke alarms shall be operational and in good repair at all times.”
- e. The light fixture located between the bathroom and bedroom of the unit was not secured to the mount. The fixture was loose and hanging by the wires. This is in contravention of Section 11 of the Minimum Housing and Health Standards, which states that “Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”
- f. There was a large hole present in the ceiling of the bathroom. This is in contravention of Section 1(c) of the Minimum Housing and Health Standards, which states that “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
- g. The front door to the unit was cracked and broken. This is in contravention of Section 1(c) of the Minimum Housing and Health Standards, which states that “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
- h. There was a hole in the ceiling of the unit above the washing machines. This is in contravention of Section 1(c) of the Minimum Housing and Health Standards, which states that “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”

- i. The door to the bathroom was cracked and damaged. This is in contravention of Section 1(c) of the Minimum Housing and Health Standards, which states that “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
- j. Two of the four windowpanes for the bedroom window were missing. This is in contravention of Section 2(b)(i) of the Minimum Housing and Health Standards, which states that “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- k. The flooring in the living room was damaged and large sections of the flooring material was missing. This is in contravention of Section 5 of the Minimum Housing and Health Standards, which states that “All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean....(b) Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.”

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Closed for Tenant Accommodation Purposes**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the occupants vacate the above noted premises on or before January 29, 2024.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Temporarily reinforce the unit and conduct repairs to the unit in correspondence with direction from an APEGA (The Association of Professional Engineers and Geoscientists of Alberta) certified Engineer. Provide a copy of a plan regarding reinforcement and repairs to the unit to Alberta Health Services Environmental Public Health.
 - b. Have the building materials from the wall and ceiling of the unit tested for the presence of asbestos. Ensure all repairs conducted in the unit are done so in accordance with applicable legislation surrounding the removal of asbestos in Alberta.
 - c. Hire the services of a licensed electrician to conduct repairs to the electrical panel for the unit. Provide a copy of the report from the electrician to Alberta Health Services Environmental Public Health.
 - d. Install a working smoke alarm along the ceiling of the unit (between the bedroom of the unit and the remainder of the unit).
 - e. Repair the light fixture located between the bathroom and bedroom of the unit. Ensure the light fixture is securely attached to the mount.
 - f. Repair the hole in the ceiling of the bathroom. Ensure the ceiling materials in the bathroom are smooth, impervious to moisture, and easy to clean.
 - g. Replace the front door to the unit.
 - h. Repair the hole in the ceiling above the washing machines.
 - i. Repair or replace the door to the bathroom.
 - j. Replace the missing windowpanes in the bedroom to ensure the window is weatherproof.

- k. Repair/replace the flooring in the living room/kitchen. Ensure the flooring material is smooth, impervious to moisture, and easy to clean.
3. That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted premises shall remain closed for tenant accommodation purposes.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at Edmonton, Alberta, January 15, 2024.

Confirmation of a verbal order issued to Tara Simon on January 11, 2024.

Executive Officer
Environmental Health Officer

You have the right to appeal

A person who

- a) is directly affected by a decision of a Regional Health Authority, and
- b) feels himself aggrieved by the decision

may appeal the decision by submitting a Notice of Appeal form within ten (10) days after receiving the order to:

Public Health Appeal Board
c/o Central Reception
Main Floor, ATB Place North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

A Notice of Appeal form may be obtained by contacting the Public Health Appeal Board or visiting their website.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Health Legislation and regulations are available for purchase. Please contact Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Order of an Executive Officer – Closed for Tenant Accommodation – Order to Vacate

RE: The premises located in Edmonton, Alberta and municipally described as: 201 – 10610 80 Ave NW Edmonton, AB T6E 1V5

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Suite 700, 10055 – 106 Street NW, Edmonton, AB T5J2Y2

www.albertahealthservices.ca/eph.asp