

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

To: Lucie Delisle Joselyn Groleau
 "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:
Suite 1, 10651 80 Avenue NW

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. There was an exterior crack in the foundation on the southwest side of the building.
- b. Finishes were in disrepair throughout the premises including:
 - The bathroom walls consisted of makeshift walls of unfinished chipboard, plastic, exposed cement block, and other wood materials.
 - A large portion of the bathroom ceiling was missing, exposing joists, other building material, and venting.
 - There was a hole in the bathroom ceiling approximately 2 ft by 2 ft by the bathroom vanity.
 - There were signs of water infiltration such as creased and bubbled paint along the exterior wall in the kitchen.
- c. The bathtub plumbing was leaking into the adjacent suite.
- d. The bathtub faucet was leaking.
- e. There was a plumbing leak in the ceiling of the bathroom.
- f. The bathroom vanity was in disrepair: the counter edging was water damaged in places, and a cabinet door was missing.
- g. The electrical service was in disrepair throughout the premises including:
 - Various switch and plug outlet plate covers were missing.
 - There were exposed electrical boxes and electrical wires, including in the main hallway, in the kitchen, in the bathroom ceiling, and on the bathroom wall above the bathtub.
- h. There were no operational smoke alarms installed in the suite, including outside the kitchen which was also being used for sleeping.
- i. The kitchen cabinets were in disrepair: drawer fronts were missing and porous unfinished wood was exposed.
- j. There was evidence of a mouse infestation: mouse droppings were noted.

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. There was an exterior crack in the foundation on the southwest side of the building. This is in contravention of Section 1(a) of the Minimum Housing and Health Standards which states that: *The housing premises shall be structurally sound.*
- b. Finishes were in disrepair throughout the premises including:
 - The bathroom walls consisted of makeshift walls of unfinished chipboard, plastic, exposed cement block, and other wood materials.
 - A large portion of the bathroom ceiling was missing, exposing joists, other building material, and venting.
 - There was a hole in the bathroom ceiling approximately 2 ft by 2 ft by the bathroom vanity.
 - There were signs of water infiltration such as creased and bubbled paint along the exterior wall in the kitchen.

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. (a) Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower. (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.*

- c. The bathtub plumbing was leaking into the adjacent suite. This is in contravention of Section 6 of the Minimum Housing and Health Standards which states that: *Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. (a) The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition. (b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.*
- d. The bathtub faucet was leaking. This is in contravention of Section 6 of the Minimum Housing and Health Standards which states that: *Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. (a) The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition. (b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.*
- e. There was a plumbing leak in the ceiling of the bathroom. This is in contravention of Section 6 of the Minimum Housing and Health Standards which states that: *Every*

housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. (a) The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition. (b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.

- f. The bathroom vanity was in disrepair: the counter edging was water damaged in places, and a cabinetry door was missing. 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 electrical service was in disrepair throughout the premises including:
 - a. Various switch and plug out plate covers were missing.
 - b. There were exposed electrical boxes and electrical wires, including in the main hallway, in the kitchen, in the bathroom ceiling, and on the bathroom wall above the bathtub.

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.*
- h. There were no operational smoke alarms installed in the suite, including outside the kitchen which was also being used for sleeping. 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 suite 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.*
- i. The kitchen cabinets were in disrepair: drawer fronts were missing and porous unfinished wood was exposed. 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. There was evidence of a mouse infestation. This is in contravention of Section 16 of the Minimum Housing and Health Standards which states that: *The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition. (a) The owner shall ensure that the housing premises are free of insect and rodent infestations; and (i) all situations requiring the application of pesticides must be applied in accordance with the Environmental Protection and Enhancement Act and regulation; and (ii) whenever a pesticide is applied in a dwelling, the occupant shall be notified in accordance with the latest edition of the Environmental Code of Practice for Pesticides published by Alberta Environmental Protection. (iii) it is the occupants responsibility to allow access in accordance to the Residential Tenancy Act to do whatever is necessary to ensure the dwelling unit is ready for pesticide application.*

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 November 24, 2023
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Have a structural engineer or foundation contractor assess the foundation of the building and repair as necessary. **Provide documentation to the AHS Environmental Public Health office.**
 - b. Repair all damaged finishes so that they are in good condition. Ensure 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.
 - c. Repair the bathtub plumbing so that it no longer leaks into the adjacent suite.
 - d. Repair the bathtub faucet so that it no longer leaks.
 - e. Repair the bathroom vanity so that it is in good condition.
 - f. Repair the electrical service so that outlets, switches and fixtures are properly installed and maintained in a good and safe working condition.
 - g. Install operational smoke alarms between each sleeping area and the remainder of the suite.
 - h. Repair the kitchen cabinetry so that they are in good condition.
 - i. Hire a licensed pest control operator to disinfest the building of mice. **Provide documentation to the AHS Environmental Public Health office.**
 - j. Remove accumulated items from around the hot water tank and furnace. Ensure that a space of 3 feet around the hot water tank and furnace remains clear of items.
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, October 27, 2023
Confirmation of a verbal order issued to Joelyn Groleau on October 26, 2023.

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>.

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

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