

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

**To:** Garnet Rolando Coria and Linda Klassen-Coria  
"the Owners"

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
**Basement Suite of 10734 - 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. The single paned windows located in the south bedroom, and in the hallway between the two bedrooms were inadequate for thermal-protection during the winter months.
- b. Insect screens were missing on the windows located in the south bedroom and in the hallway between the two bedrooms.
- c. The south bedroom window opening was measured at 18.75"W x 24.75"H = 3.22 sqft, and the north bedroom had a picture window that could not be opened. Neither of the windows met the minimum requirement for emergency egress.
- d. Large portions of the flooring in the basement suite were either missing or damaged.
- e. Exposed water meter in the basement living room with no proper access panel, leaving this part of the wall unfinished.
- f. A number of the ceiling tiles in the basement suite had either fallen off or damaged. Some of the ceiling suspension rods in the bathroom were broken.
- g. There were holes on the walls in the basement south bedroom.
- h. Baseboards were missing throughout the basement suite.
- i. There was a crack on the shower stall.
- j. Caulking in the shower stall and by the bathroom sink backsplash has deteriorated.
- k. There was no smoke alarm in the basement suite.
- l. Parts of the finishes on the kitchen counter were damaged and peeling off.

**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. The single paned windows located in the south bedroom and in the hallway between the two bedrooms were inadequate for thermal-protection during the winter months. This is in contravention of section 2(b)(ii) of the Minimum Housing and Health Standards which states: *“In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.”*
- b. Insect screens were missing on the windows located in the south bedroom and in the hallway between the two bedrooms. This is in contravention of section 2b(iii) of the Minimum Housing and Health Standards which states: *“During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.”*
- c. The south bedroom window opening was measured at 18.75”W x 24.75”H = 3.22 sqft, and the north bedroom had a picture window that could not be opened. Neither of the windows met the minimum requirement for emergency egress. This is in contravention of section 3(b)(i)(ii) of the Minimum Housing and Health Standards which states: *“For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge. Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8 ft<sup>2</sup>), with no dimension less than 380 mm (15”).”*
- d. Large portions of the flooring in the basement suite were either missing or damaged. This is in contravention of section 5 of the Minimum Housing and Health Standards which states: *“All walls, windows, ceilings, floor, 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.”*
- e. Exposed water meter in the basement living room with no proper access panel, leaving this part of the wall unfinished. This is in contravention of section 5 of the Minimum Housing and Health Standards which states: *“All walls, windows, ceilings, floor, 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.”*
- f. A number of the ceiling tiles in the basement suite had either fallen off or damaged. Some of the ceiling suspension rods in the bathroom were broken. This is in contravention of section 5 of the Minimum Housing and Health Standards which states: *“All walls, windows, ceilings, floor, 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.”*
- g. There were holes on the walls in the basement south bedroom. This is in contravention of section 5 of the Minimum Housing and Health Standards which states: *“All walls, windows, ceilings, floor, 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.”*

- h. Baseboards were missing throughout the basement suite. This is in contravention of section 5 of the Minimum Housing and Health Standards which states: *“All walls, windows, ceilings, floor, 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.”*
- i. There was a crack on the shower stall. This is in contravention of section 5(a) of the Minimum Housing and Health Standards which states: *“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.”*
- j. Caulking in the shower stall and by the bathroom sink backsplash has deteriorated. This is in contravention of section 5(a) of the Minimum Housing and Health Standards which states: *“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.”*
- k. There was no smoke alarm in the basement suite. This is in contravention of section 12 of the Minimum Housing and Health Standards which states: *“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.”*
- l. Parts of the finishes on the kitchen counter were damaged and peeling off. This is in contravention of section 14(a)(iii) of the Minimum Housing and Health Standards which states: *“Every housing premises shall be provided with a food preparation area, which includes a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.”*

**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 Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Replace or upgrade the single-paned windows in the basement suite with double glazed windows to provide adequate thermal-protection during the winter months.
  - b. Install proper fitting insect screens on windows to prevent entry of flying insects.
  - c. Install egress windows in both bedrooms. The windows should have unobstructed openings of at least 3.8 sqft with no dimensions less than 15 inches.
  - d. Replace the missing or damaged flooring to provide a floor that is in good condition and easy to clean in all areas of the basement suite.
  - e. Install a proper access panel in front of the water meter in the living room. Finish the panel with durable paint or material for easy cleaning.

- f. Repair or replace the damaged ceiling in the basement suite to render it in good condition.
  - g. Repair all damaged walls in the basement suite to render them in sound condition and easy to clean.
  - h. Install baseboards on the walls to prevent entry of insects and facilitate cleaning.
  - i. Repair the cracked shower stall to provide a surface that is in sound condition, smooth, water resistant and easy to clean.
  - j. Repair caulking in the shower stall and behind the bathroom sink to provide surfaces that are in good condition, water resistance and easy to clean.
  - k. Install a working smoke alarm in the basement unit in front or inside the bedrooms for fire safety purposes.
  - l. Repair the damaged kitchen counter to a finish that is in good condition and easy to clean.
2. 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, August 31, 2017

\_\_\_\_\_(Original Signed)\_\_\_\_\_

Frances Fong, CPHI(C)  
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, Telus Plaza North Tower  
10025 Jasper Avenue NW  
Edmonton, Alberta, T5J 1S6  
Phone: 780-222-5186  
Fax: 780-422-0914  
Email: [HealthAppealBoard@gov.ab.ca](mailto:HealthAppealBoard@gov.ab.ca)  
Website: <http://www.health.alberta.ca/about/PHAB.html>

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or [www.qp.gov.ab.ca](http://www.qp.gov.ab.ca).

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or [www.qp.gov.ab.ca](http://www.qp.gov.ab.ca).

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)