

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

To: "The Owner(s)":
1977881 Alberta Ltd.
Monica Affleck (Director)
Graeme Bell (Director)
Kevin Robertson (Director)

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

RE: Those housing premises located in 10835 111 Street NW Edmonton, Alberta and municipally described as: Lot 226, Block 10, Plan 7540AH

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:

Main floor suite

- a. Wall electrical outlet cover was missing in the NE bedroom.
- b. Kitchen light switch cover plate was broken.
- c. Electrical outlets near the kitchen sink were not GFCI protected.
- d. The openable area of the horizontal slider east bedroom window was 14.5 inches in width by 50.75 inches in height =735.88 square inches. The width dimension does not meet emergency egress requirements.
- e. The east window insect screen was ripped and had a hole in it.
- f. The openable area of the horizontal slider NE bedroom window was 11.5 inches in width by 51 inches in height =586.5 square inches. The width dimension is less than that required for emergency egress.
- g. Some mouse droppings were observed in the cupboards in the east boot room, the floor vent in the west bedroom, vent in the east boot room and on floor beside the kitchen fridge.
- h. Battery was missing from the smoke alarm.
- i. Glass on the south insect screen door was in disrepair as it was taped in place.
- j. Weatherstripping was missing on the south entrance doors, gap could be seen on the side of the door.
- k. Main floor toilet was backed up with sewage.

Basement

- l. The electrical outlets near the kitchen sink were not GFCI protected.
- m. Electrical outlet and light switches covers were missing throughout the basement suite.
- n. Wall tile to the right of the bathroom GFCI outlet was loose and was not secured in place.

- o. Holes were present on the ceiling of the kitchen cupboards.
- p. Screws were sticking out of the makeshift door to the basement entrance.
- q. A bed was present in the common area upon entry to the basement and the openable area of the south horizontal slider bedroom window was 14.5 inches in width by 22.5 inches in height =326.25 square inches.
- r. Kitchen window lock was broken.
- s. The openable area of the horizontal slider east bedroom window was 14.75 inches in width by 15.75 inches in height =232.3 square inches.
- t. Security bars that could not be removed were present on the east basement bedroom window.
- u. Smoke alarm outside the bedroom was non-functional and appeared older than 10 years.
- v. Basement bedroom door was not secured in place.
- w. Vent cover was hanging loose and not secured in place in the common area.
- x. Bathroom ventilation cover was missing.
- y. The bathroom mechanical ventilation was not working properly.

Common area

- z. Drywall damaged on the right-hand side wall of the stairs just before the entrance to the basement.
- aa. The height of the handrail in the section of stairs from the basement to the main floor was too low as it measured between 24 to 29 inches in different sections.
- bb. The height of the handrail measured approx. 42.25 inches above the stair landing from the basement to the second floor and approx. 37.25 inches near the top of the stairs
- cc. The height of the west exterior guardrail was 29 inches.
- dd. Horizontal components were present on the west exterior guardrail that may facilitate climbing.
- ee. The opening between the west exterior guards measured 6.25 inches to 7.75 inches in different segments.
- ff. The height from the top of the guard to a line drawn through the leading edge of the treads served by the guard for the west exterior stairs measured 30.5 to 32.5 inches.
- gg. The south exterior guardrail was loose.
- hh. The height of the south exterior guardrail was 32.25 inches.
- ii. The opening between the south exterior guards measured 4.25 inches to 4.5 inches in different segments.
- jj. The height from the top of the guard to a line drawn through the leading edge of the treads served by the guard for the south exterior stairs measured 32.5 inches to 33 inches.

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. Items a, b, c, l and m are in contravention of section 2(b)(iii) 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.
- b. Items d, f, q and s are in contravention of section 3(b)(ii) of the Minimum Housing and Health Standards which states that Windows referred to in section 3(b)(i) shall provide

unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).

- c. Item t is contravention of section 3(b)(iii) of the Minimum Housing and Health Standards which states that If the window referred in section 3(b)(i) is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge.
- d. Item e is in contravention of section 2(b)(iii) of the Minimum Housing and Health Standards which states that 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.
- e. Item g is in contravention of 16(a) of the Minimum Housing and Health Standards which states that the owner shall ensure that the housing premises are free of insect and rodent infestations.
- f. Items h and u are 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. Section 12(a) of the Minimum Housing and Health Standards states that smoke alarms shall be operational and in good repair at all times.
- g. Item i, v and w are 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. Item j 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.
- i. Item k is in contravention of section 6(a) of the Minimum Housing and Health Standards which states that 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.
- j. Items n, o and z are 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. Section 5(a) of the Minimum Housing and Health Standards states that 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. Item p is in contravention to section 5(2) of the 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.
- l. Item r is in contravention of section 3(a) of the Minimum Housing and Health Standards which states that exterior windows and doors shall be capable of being secured.
- m. Items x and y are in contravention of section 1(c) and section 7(c) of the Minimum Housing and Health Standards. Section 1(c) states that building materials that have

been damaged or show evidence of rot or other deterioration shall be repaired or replaced. Section 7(c) states that all rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.

- n. Items aa through jj are in contravention of section 3(c)(i) of the Minimum Housing and Health Standards which states that Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.

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 Thursday, June 30, 2022.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure electrical outlets have electrical outlet covers and the light switch cover is in good repair
 - b. Ensure the electrical outlets within 1.5 meters of a sink are GFCI protected.
 - c. Ensure the bedroom windows meet emergency egress requirements. Please ensure that the insect screens are easily removable from emergency egress windows.
 - d. Ensure that the beds are removed from the sleeping areas downstairs.
 - e. If areas are disturbed (i.e., cutting and removing drywall during the replacement of windows) that may have asbestos containing materials such as drywall compound during work on the house please ensure asbestos testing is performed. Asbestos sampling must be conducted prior to removal of materials. Asbestos sample results and proposed scope of work report must be approved prior to the disturbance of materials. Once you have AHS approval, final repair work must be completed.
 - f. Ensure the east main floor window insect screen is in good repair.
 - g. Ensure the premises is free of a rodent infestation. Please ensure that the areas contaminated with mouse dropping and cleaned and disinfected adhering to proper precautions. Please ensure pest control is performed by a certified pest control professional and provide the most recent pest control records to Environmental Public Health.
 - h. Ensure smoke alarm outside the bedrooms is functional. 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.
 - i. Ensure the glass on the south insect screen door is in good repair.
 - j. Ensure the south entrance door is weatherproof and there is no gap on the side of the door.
 - k. Ensure the main floor toilet is functional.

- l. Investigate if the main floor washroom hand sink leaks when it is used. If so, please ensure that the sink is free from leaks.
 - m. Ensure that Section 5 of the Minimum Housing and Health Standards is complied with for the finishes throughout the rental dwelling (e.g., the loose wall tile in the basement bathroom, holes in the ceiling in the basement kitchen cupboards, drywall on the wall just before the basement entrance).
 - n. Ensure the screws to the makeshift door to the basement do not pose a hazard.
 - o. Ensure the lock on the basement kitchen window is fixed.
 - p. Ensure the vent cover for the common area of the basement is secured in place.
 - q. Ensure the bathroom ventilation is present and that the bathroom ventilation is in good working order.
 - r. Ensure the height of the handrail inside and outside the premises complies with the requirements of the Alberta Building Code.
 - s. Ensure that the opening through the guards for the exterior of the premises complies with the requirements of the Alberta Building Code.
 - t. Ensure that there is no climbable component on the west exterior guards.
 - u. Ensure the height of the exterior guardrails complies with the requirements of the Alberta Building Code.
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, May 31, 2022

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 Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or 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.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Edmonton • Environmental Public Health

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<https://www.ahs.ca/eph>