

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

To: "The Owner(s)"

Michael A Martin, of Edmonton AB

Matthew Peter, of Edmonton, AB

And To: All Occupant(s) of the following Housing premises:
Basement North Suite, 10838 - 74 Avenue NW

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
Basement North Suite, 10838 - 74 Avenue NW, Edmonton, AB

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 headroom clearance at the doorway was too low at 70 inches.
- b. The ducting outside the room posed low headroom clearance of 68 inches.
- c. The window in the north basement bedroom had an opening of 15 inches by 34.4 inches, which was too small for emergency egress.
- d. There was no smoke alarm installed in the suite.
- e. The door trim was not finished and nails were protruding from the door frame.

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 and e) are in contravention of section V(2) of Housing Regulations which state: 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.
- b. Item (c) is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15").
- c. Item (d) is in contravention of section IV(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.

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 August 31, 2016**.
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 the headroom clearance in all bedrooms and entries into the bedroom is at least 72 inches. In areas where this cannot be achieved the space is not to be used for purposes, other than storage.
 - b. Ensure the egress window is capable of staying open and provide an unobstructed opening with areas not less than 0.35m², with no dimensions less than 380mm at all times.
 - c. Ensure all suites have smoke alarms which are installed in appropriate locations, maintained in good repair, and are operational at all times.
 - d. Ensure the door trim is in good repair and is free of protruding nails.
 - e. Full compliance with the Order of Executive Officer issued for the premises date on July 20, 2016.

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, July 21, 2016.

(Original Signed)

Eleanor Lee, 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: 780-427-2813
Fax: 780-422-0914
Email: 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.

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: www.health.alberta.ca/about/health-legislation.html

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