

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

**To:** David John Christopher Roles  
"the Owner"

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
10903 62 Ave NW Edmonton, AB T6H 1N3

**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 appeared to be a sewage back-up occurring within the basement. There was visible water present along the floor in the basement.
- b. The windows in the basement were blocked and covered over. As a result, emergency egress was not possible via the windows.
- c. There was a bedroom present within the upstairs kitchen (access to the bedroom was via the kitchen, while access to the living room from this bedroom was restricted via the shelving/belongings in this space). The egress path for this space was blocked on the outside by the presence of a shed located outside of the window.
- d. There was a large accumulation of mouse droppings within the furnace room.
- e. There were mouse droppings present in the laundry room.
- f. The concrete along the front steps of the home was cracked and broken.
- g. There was water damage present along the ceiling in the kitchen and upstairs bathroom.
- h. There were cracks present along the walls in the furnace room. There was water entering the furnace room via these cracks.

**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 appeared to be a sewage back-up occurring within the basement. There was visible water present along the floor in the basement. This is in contravention of Section 6(a, c) of the Minimum Housing and Health Standards, which states that "(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.... (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”
- b. The windows in the basement were blocked and covered over. As a result, emergency egress was not possible via the windows. This is in contravention of Section 3(b)(i) of the Minimum Housing and Health Standards, which states that “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.”
  - c. There was a bedroom present within the upstairs kitchen (access to the bedroom via the kitchen, access to the living room was restricted via the shelving/belongings in this space). The egress path for this space was blocked on the outside by the presence of a shed located outside of the window. This is in contravention of Section 3(b)(i) of the Minimum Housing and Health Standards, which states that “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.”
  - d. There was a large accumulation of mouse droppings within the furnace room. 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.”
  - e. There were mouse droppings present within the laundry room. 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.”
  - f. The concrete along the front steps of the home 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.”
  - g. There was water damage present along the ceiling in the kitchen and upstairs 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.”
  - h. There were cracks present along the walls in the furnace room. There was water entering the furnace room via these cracks. This is in contravention of Section 1(b) of the Minimum Housing and Health Standards, which states that “Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.”
  - i. The following finishes were damaged: the walls within the upstairs bedrooms (which had large holes present), the ceiling above the upstairs stove (which was black and appeared to have been burnt), the walls/ceiling in the stairwell (which had large holes present), the trim around the basement door (which was cracked and damaged), the ceiling tiles in the laundry room (which were water damaged), and the ceilings in the basement hallway/washroom/living room (which had large holes present). 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.”
  - j. The showerhead in the upstairs bathroom was missing. The hot water handle in the basement bathroom was not in operation. This 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.”

- k. The doors to the upstairs bathroom, upstairs bedrooms, and the basement were 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.”
- l. One of the windows in the laundry room was cracked. 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.”
- m. There was an open junction box present in the basement kitchen space and one of the outlets was missing a plate cover. 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.”
- n. There was no mechanical or natural ventilation present in the basement bathroom. This is in contravention of Section 7(c) of the Minimum Housing and Health Standards, which states that “All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.”
- o. There was a used, broken drug pipe present in the basement bathroom. 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.”
- p. There was a large crack in the basement bathroom sink. This 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.”

**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 May 24, 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. Hire the services of a licensed plumber (aka a journeyman/journeyperson licensed plumber) to assess the sewage system and conduct appropriate repairs. Provide a copy of the report from the licensed plumber to Alberta Health Services Environmental Public Health (AHS EPH).
  - b. Repair the windows in the basement to ensure they provide unobstructed access to the exterior of the home. The unobstructed access must measure at least 3.8 feet squared (with no dimension less than 15 inches) in order to adequately provide egress.

- c. Either remove the bedroom adjacent to the upstairs kitchen or remove the exterior shed blocking the egress path from the upstairs kitchen bedroom to the outside.
  - d. Hire the services of a licensed pest control technician to treat the mouse infestation within the home. Continue to employ the services of the technician until the technician provides a report indicating the infestation has been cleared/is no longer occurring. Provide copies of any reports generated by the technician to AHS EPH.
  - e. Repair the concrete steps at the front of the home.
  - f. Remove any water damaged ceiling/wall materials from the upstairs kitchen, living room, and bathroom. Replace the damaged materials with new materials. Ensure all surfaces in the bathroom are smooth, impervious to moisture, and easy to clean.
  - g. Hire the services of a professional and competent foundation repair company to assess the cracks in the furnace room/abate the source of the water infiltrating the furnace room. Provide a copy of the report from the furnace repair company to AHS EPH.
  - h. Repair the damaged finishes within the home, including: the walls within the upstairs bedrooms, the ceiling above the upstairs stove, the walls/ceiling in the stairwell, the trim around the basement door, the ceiling tiles in the laundry room, and the ceilings in the basement hallway/washroom/living room.
  - i. Replace the showerhead in the upstairs bathroom.
  - j. Replace hot water handle in the basement bathroom.
  - k. Replace doors to the upstairs bathroom, upstairs bedrooms, and basement entrance.
  - l. Repair/replace the window in the laundry room.
  - m. Install a cover over the open junction box in the basement kitchen.
  - n. Install a plate cover on the outlet in the basement kitchen.
  - o. Install mechanical ventilation in the basement bathroom.
  - p. Dispose of the used, broken drug pipe within the basement bathroom.
  - q. Replace the cracked sink in the basement bathroom.
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 9, 2024

Confirmation of a verbal order issued to David Roles on May 8, 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](mailto: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>

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Edmonton • Environmental Public Health

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

[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)