

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

**To: Loi Hong and Lynda Tang
 “the Owners”**

**And To: All Occupant(s) of the following Housing premises:
 10914A – 97 Street, Edmonton, Alberta
 Lot 11 Block 17 Plan A**

**RE: Those housing premises located in Edmonton, Alberta and municipally described as:
 10914A – 97 Street, Edmonton, Alberta
 Lot 11 Block 17 Plan A**

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 ceiling tiles, ceiling light panels and walls throughout the unit were water stained.
- b. The office and kitchen window frames were water stained.
- c. The wall under the office window showed evidence of water damage.
- d. There was a small hole and cracks in the outer pane of the office window.
- e. The insect screen in the office window was torn.
- f. The insect screen in the kitchen window was torn.
- g. There were no windows in the larger (North West) room being used for sleeping and no other means for emergency egress.
- h. There were no windows in the smaller (North East) room being used for sleeping and no other means for emergency egress.
- i. There was no window for ventilation in the larger (North West) room being used for sleeping.
- j. There was no window for ventilation in the smaller (North East) room being used for sleeping.
- k. There was evidence that the ceiling electrical components were exposed to water and therefore may be compromised.
- l. There was evidence of a bed bug infestation in the unit. Live bed bugs had been caught by the tenant in a pill container.

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. Violations [a, b and c] are in contravention of section III(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.
- b. Violation [d] is in contravention of section III(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 weather proofed and of section III(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.
- c. Violations [e and f] are in contravention of section III(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.
- d. Violations [g and h] are in contravention of section III(3)(b) of the Minimum Housing and Health Standards which states that: For buildings of 3 stories 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.
- e. Violations [i and j] are in contravention of section III(4)(a,b) of the Minimum Housing and Health Standards which states that: All rooms used for sleeping shall be provided with: an openable window area of 0.28m² (3.0ft²); or (b) mechanical ventilation in conformance with the requirements of the Alberta Building Code.
- f. Violation [k] is in contravention of section IV(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.
- g. Violation [l] is in contravention of section V(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.

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 December 22, 2017.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. As these premises were built prior to 1990, the presence of asbestos within building materials is likely, thus all precautions must be taken. The consultant

must assess the conditions within the above noted premises including performing applicable sampling for asbestos containing materials.

- i. In the event asbestos is present **provide Environmental Public Health with a written asbestos management/abatement plan in accordance with the Alberta Occupational Health and Safety Code for Asbestos abatement. Ensure proper removal/handling of impacted materials follow current codes and standards.**
 - ii. Then the environmental consultant will assess the conditions within the above noted premises for all water damaged materials and mould for the entire premises: to include the attic, wall and floor cavities, and crawlspaces. A full pre mould remediation inspection report is required. At a minimum the report must describe the building construction, finishes, materials and components and recommendations for restoration. All hazardous building materials are to be properly managed and disposed of in accordance with government standards and guidelines and industry codes of practice. Once the materials have been removed, a post mold remediation report is required and is to include photographic evidence that all mouldy material has been removed and environmental air quality sampling. **Testing and reporting shall follow the requirements outlined in Alberta Health Services' Fungal Air Testing Protocol.**
- b. Ensure all building materials that have been damaged or show evidence of rot or other deterioration are repaired or replaced and ensure all walls, windows, ceilings, floors, and floor coverings are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean Including:
- i. Ensure damaged ceiling tiles and ceiling light panels are removed and replaced.
 - ii. Ensure water damaged drywall is removed and replaced and ensure all walls are maintained in good repair.
 - iii. Assess the window frames for the office and kitchen windows and ensure damaged materials are removed and replaced. Ensure window frames are maintained in good repair.
 - iv. Remove damaged drywall under the office window and repair so that the wall is maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
- c. Replace the window pane in the office that has a hole and is cracked. Ensure all windows and exterior doors are maintained in good repair, free of cracks and weather proofed.
- d. Ensure every window or other device intended for ventilation are supplied with effective screens. Including:
- i. Ensure the openable windows in the office are equipped with an insect screen.

- ii. Ensure the openable windows in the kitchen are equipped with an insect screen.
 - e. Ensure rooms used for sleeping have at least one outside window which may be opened from the inside without the use of tools or special knowledge. The windows must provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”). Alternatively ensure the rooms used for sleeping are sprinklered.
 - f. Ensure all rooms used for sleeping are provided with openable windows with an area of 0.28m² (3.0ft²) or mechanical ventilation in conformance with the requirements of the Alberta Building Code.
 - g. Retain the services of a qualified electrician to carry out an assessment and conduct repairs of any affected electrical components. Provide written verification to this office of the assessment and repairs.
 - h. Take any necessary action to eliminate the bed bug infestation:
 - i. Have the premises treated by a certified pest control operator and provide this office with detailed documentation of pest control reports.
 - ii. Utilize IPM (Integrated Pest Management) techniques to control the infestation.
 - iii. Provide tenant(s) with proper education regarding preparation requirements prior to treatment.
 - iv. Continue pest control measures until the infestation has been cleared and provide a report from a certified pest control operator with confirmation that the infestation has been cleared.
 - i. Ensure all heating facilities are properly installed and maintained in good working condition, and are *capable* of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the unit to a temperature of at least 22C(71F).
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, November 24, 2017
Confirmation of a verbal order issued to Loi Hong Owner on November 21, 2017.

_____(Original Signed)_____

Stephanie Bodnar, 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
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