

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

**To:** Firmus Equity Management Ltd. Jim Huth  
Mark Francisco Donna Lidman  
Cambell Huth Tawnya Wilde  
“the Owners”

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
**Unit 5, 10975 – 84 Street**  
Lot 18/19, Block 5, Plan RN61

**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 bedroom door was partially off of the hinges.
- b. There was a large hole in the washroom door.
- c. The living room window was broken.
- d. The kitchen/dining room window was broken.
- e. The bedroom window was broken.
- f. Insect screens were not installed in windows.
- g. The living room was being used as a sleeping space. Windows in the living room were equipped with bars that could not be easily opened from the inside.
- h. Walls were damaged throughout the unit.
- i. Part of the window casing was missing around the living room window.
- j. The floor covering in the living room was in disrepair. It was only partially installed; exposing the sub floor.
- k. The bath tub faucet was missing.
- l. The washroom ventilation fan was not functional.
- m. The temperature in the unit was not maintained at a minimum temperature of 22C; it was measured at 16.5C. The oven was being used as a source of supplemental heat.
- n. The thermostat was broken and the cover was missing.
- o. There was a broken light switch plate cover in the hallway.
- p. There was a broken electrical outlet plate cover in the kitchen.
- q. There was no smoke alarm installed in the unit.

- r. Kitchen cupboards were in disrepair; doors were partially off of their hinges or completely missing.
- s. Two of the stove burner knobs were missing.

**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] and [b] 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. Violations [c, d and e] are 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.
- c. Violation [f] is 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. Violation [g] is in contravention of section III(3)(b)(ii) 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.
- e. Violations [h, l and j] are in contravention 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.
- f. Violation [k] is in contravention of section IV(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.
- g. Violation [l] is in contravention of section IV(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.
- h. Violations [m and n] are in contravention of section IV(8)(a)(i) of the Minimum Housing and Health Standards which states that: All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be *capable* of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of at least 220C(710F), or maintained at a temperature of at least 220C(710F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant and of section IV(8)(c) of the Minimum Housing and Health Standards which states that: Cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room.
- i. Violations [o and p] are 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.

- j. Violation [q] 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.
- k. Violation [k] is in contravention of section IV(14)(a)(ii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: cupboards or other facilities suitable for the storage of food; and
- l. Violation [s] are in contravention of section IV(14)(a)(ii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: cupboards or other facilities suitable for the storage of food.

**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 November 10, 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. Ensure all building materials that have been damaged or show evidence of rot or other deterioration are repaired or replaced. Including:
    - (1) Ensure the bedroom door is correctly installed or completely remove it from the hinges.
    - (2) Repair the hole or replace the washroom door.
  - b. Ensure all windows and exterior doors are maintained in good repair, free of cracks and weather proofed. Including:
    - (1) Replace the broken living room window.
    - (2) Replace the broken kitchen/dining room window.
    - (3) Replace the broken bedroom window.
  - c. Ensure every window or other device intended for ventilation is supplied with an effective screen.
  - d. Ensure the living room is not used for sleeping or remove security bars from the living room windows or ensure security bars are installed so they may be opened from the inside without the use of any tools or special knowledge.
  - e. 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:
    - (1) Ensure walls in the unit are maintained in good repair.
    - (2) Ensure window casings in the unit are installed and are in good repair.
    - (3) Ensure floor coverings in the unit are fully installed without loose or lifting coverings and in a condition that renders them easy to clean.
  - f. Install a bath tub faucet and ensure the plumbing system and the sanitary drainage system, including drains, fixtures, traps, vents, stacks, and the disposal system are maintained in a proper operating condition.
  - g. Ensure the washroom is provided with natural or mechanical ventilation.

- h. 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), or maintained at a temperature of at least 22C(71F). Ensure that the thermostat is repaired and equipped with a cover.
  - i. Ensure outlets, switches and fixtures are properly installed and are maintained in a good and safe working condition. Including:
    - (1) Ensure the broken light switch cover in the hallway is replaced.
    - (2) Ensure a plate cover is installed for the electrical outlet in the kitchen.
  - j. Ensure a working smoke alarm is installed between the sleeping area and the remainder of the suite.
  - k. Repair or replace kitchen cupboards. Ensure that the food preparation area is supplied with cupboards or other facilities suitable for the storage of food.
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 9, 2017

Confirmation of a verbal order issued to Diane Maillet, Property Manager on November 6, 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](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).

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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)