

ORDER OF AN EXECUTIVE OFFICER FOR REPAIR

To: **Giorgio Lupinacci and Beata Lupinacci**
“the Owners”

RE: Those housing premises located in 11203 – 63 street Edmonton, Alberta

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 was visible light around the front entrance door indicating inadequate weather stripping.
- b. There were no heating vents or other approved heating source on the second floor.
- c. There were no window screens for the living room windows.
- d. There was a floor patio style window upstairs that has no guard to prevent persons from falling out the window when the window was opened.
- e. The main floor bedroom window was measured and the unobstructed opening was found to be 22 X 23 inches = 506 inches (0.56 X 0.58 = 0.32 m). This was too small for emergency egress.
- f. There were three windows in the SE bedroom on the second floor, not one of these windows would comply with emergency egress regulations.
- g. There was a locked bar across the basement bedroom window that was attached to the frame impeding emergency egress.
- h. The basement bedroom window opened inward and could only be opened approximately 5 inches as it was chained.
- i. There was a hard wired smoke alarm hanging by the wires located at the entrance to the basement.
- j. There was a light fixture hanging by the wires in the SW room in the basement.
- k. The exterior West window pane was cracked in the basement bedroom.
- l. There was no running water for the basement bathroom hand sink.
- m. There was wall damage on the wall above the toilet.
- n. There was a window pane broken in the basement kitchen.
- o. There was no bottom piece for the main floor kitchen sink cupboard.
- p. There was a missing a light switch cover plate for the main floor bedroom.
- q. There were two electrical junction boxes that did not have a cover.
- r. The electrical cover place for the GFI receptacle in the upstairs bathroom was missing.
- s. Numerous areas of ceiling height in the SW bedroom were measured and found to be less than six feet.

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 was visible light around the front entrance door indicating inadequate weather stripping which 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.
- b. There were no heating vents or other approved heating source on the second floor which is 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.
- c. There were no window screens for the living room windows which 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. There was a floor patio style window upstairs that has no guard to prevent persons from falling out the window when the window was opened which is in contravention of Housing Regulation section 5(2) 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.
- e. The main floor bedroom window was measured and the unobstructed opening was found to be 22 X 23 inches = 506 inches (0.56 X 0.58 = 0.32 m). This was too small for emergency egress which is in contravention of section III(3)(b)(i) 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”).
- f. There were three windows in the SE bedroom on the second floor, not one of these windows would comply with emergency egress regulations which is in contravention of section III(3)(b)(i) 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”).
- g. There was a locked bar across the basement bedroom window that was attached to the frame impeding emergency egress which 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.
- h. The basement bedroom window opened inward and could only be opened approximately 5 inches as it was chained which is in contravention of section III(3)(b)(i) 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”).

- i. There was a hard wired smoke alarm hanging by the wires located at the entrance to the basement which is in contravention of section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.
- j. There was a light fixture hanging by the wires in the SW room in the basement which 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.
- k. The exterior West window pane was cracked in the basement bedroom which 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.
- l. There was no running water for the basement bathroom hand sink which is in contravention of section IV(9) of the Minimum Housing and Health Standards which states that: Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.
- m. There was wall damage on the wall above the toilet section III(5)(a) of the Minimum Housing and Health Standards which 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.
- n. There was a window pane broken in the basement kitchen 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.
- o. There was no bottom piece for the main floor kitchen sink cupboard which 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.
- p. There was a missing a light switch cover plate for the main floor bedroom which 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.
- q. There were two electrical junction boxes that did not have a cover which 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.

- r. The electrical cover plate for the GFI receptacle in the upstairs bathroom was missing which 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.
- s. Numerous areas of ceiling height in the SW bedroom were measured and found to be less than six feet which is in contravention of Housing Regulation section 5(2) 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.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

- 1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install weather stripping around the front entrance door. Ensure all windows and doors are maintained in good repair, free of cracks and weatherproof and weatherproof.
 - b. Fix the two broken window panes in the basement. Ensure all windows and doors are maintained in good repair, free of cracks and weatherproof and weatherproof.
 - c. Install screens in all the openable windows. Ensure all openable windows are provided with insect screens and that the insect screens are in good condition during the portion of the year where such screens are required.
 - d. Provide a sufficient opening for all bedroom windows to ensure that they comply with the emergency egress regulations. Ensure all bedroom windows are provided with an unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
 - e. The window bar in the basement bedroom must be removed. Ensure that all supplied bars are installed so they may be opened from the inside without the use of any tools or special knowledge.
 - f. Install a guard to prevent a fall from occurring around the second storey patio style bedroom window. Ensure that there is no condition in the housing premises that may cause or permit an injury or may be dangerous to public health, including any condition that may hinder in any way the prevention or suppression of disease.
 - g. Supply cover plates for the two electrical outlets, supply a cover plate for the electrical junction boxes on the second floor and fix the light fixture in the West basement room. Ensure all outlets, switches and fixtures are properly installed and maintained in a good and safe working condition.

- h. Fix the plumbing in the basement bathroom had sink so that it supplies hot and cold running water. Ensure that all plumbing is serviceable, free from leaks and trapped and vented to the outside of the premises.
 - i. Repair or remove the smoke alarm that is hanging by the wires that leads to the basement. Ensure that a functioning smoke alarm is situated on the ceiling by the bedrooms.
 - j. Repair the wall in the basement bathroom. Ensure 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. Rooms that contain a flush toilet and bathtub or shower must have walls that are formed a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.
 - k. Install a bottom for the kitchen sink cupboard. Ensure that all kitchen cupboards are in good repair, and that all surfaces are smooth, non-absorbent and easy to clean.
 - l. Install an approved heating source for the second floor. Ensure that all heating within the housing premises is properly installed and maintained in good working condition and is capable of safely and adequately heating all habitable rooms, bathrooms and toilet rooms to at least 22 degrees Celsius. Note portable space heaters are not to be used as the primary source of heat for habitable rooms.
 - m. Take any further steps in the interests of preserving and maintaining the health of any person who may, in the future, occupy the above noted premises as may be required by the Executive Officer.
2. The work referred to in paragraphs (e), (g), and (h) are to be completed by 09 June 2017. The work referred to in paragraphs (b), (c), (f), (g), (i) and (k) are to be completed by 30 June 2017. The work referred to in paragraphs (a), (d), (j) and (l) are to be completed by 30 August 2017.

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, 29 May 2017

Confirmation of a verbal order issued to owner on 01 June 2017.

__Original Signed__
Ingrid Bohac, CPHI(C)
Executive Officer
Alberta Health Services

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