

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

**To:** Emmanuel Savice  
"the Owner"

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
  
11313 86 Street NW Edmonton, AB T5B 3H9

**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 were a number of large cracks along the walls in the basement. A portion of the basement wall was bowing inward.
- b. One of the support posts in the basement was notched.
- c. There were no working smoke alarms installed between the bedrooms and the remainder of the home.
- d. The refrigerator within the kitchen was not in operation.
- e. There was no stove, sink or counters present within the kitchen.
- f. The back door was not capable of being properly closed and secured.
- g. There were no guardrails present along the stairs (as a result, there were openings of >4 inches present between the horizontal members of the stairs).
- h. The guardrails along the front steps of the home were too short. The guardrails measured 29.5" high.
- i. There were several open, live wires present throughout the home.
- j. A number of the windows in the basement were broken or 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. There were a number of large cracks along the walls in the basement. A portion of the basement wall was bowing inward. This is in contravention of Section 1 of the Minimum Housing and Health Standards, which states that "(a) The housing premises shall be structurally sound. (b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation."

- b. One of the support posts in the basement was notched. This is in contravention of Section 1 of the Minimum Housing and Health Standards, which states that “The housing premises shall be structurally sound.”
- c. There were no working smoke alarms installed between the bedrooms and the remainder of the home. This is in contravention of Section 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. (a) Smoke alarms shall be operational and in good repair at all times.”
- d. The refrigerator within the kitchen was not in operation. This is in contravention of Section 14(a)(iv) of the Minimum Housing and Health Standards, which states that “a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. (40°F).”
- e. There was no stove, sink or counters present within the kitchen. This is in contravention of Sections 14(a)(i), (iii), and (iv) of the Minimum Housing and Health Standards, which states that “Every housing premises shall be provided with a food preparation area, which includes: (i) a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation;...(iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; and (iv) a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. (40°F).”
- f. The back door was not capable of being properly closed and secured. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards, which states that “Exterior windows and doors shall be capable of being secured.”
- g. There were no guardrails present along the stairs (as a result, there were openings of >4 inches present between the horizontal members of the stairs). This is in contravention of Section 3(c) of the Minimum Housing and Health Standards, which states that “Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.”
- h. The guardrails along the front steps of the home were too short. The guardrails measured 29.5” high. This is in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards, which states that “Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.”
- i. There were several open, live wires present throughout the home. 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.”
- j. A number of the windows in the basement were broken or missing. 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.”
- k. The transition strip between the bathroom flooring and the living room/hallway flooring was missing. 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.”

- l. The mechanical ventilation fan in the washroom was not in operation. 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.”
- m. The weatherstripping around the back door was missing. 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.”

**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 February 14, 2025.
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 an APEGA certified engineer to assess the structural integrity of the basement foundation. Provide a copy of the report generated by the above-mentioned engineer to Alberta Health Services (AHS) Environmental Public Health (EPH). Conduct repairs to the foundation in accordance with the engineer’s directions.
  - b. Install working smoke alarms between each bedroom and the remainder of the home.
  - c. Repair/replace the refrigerator in the kitchen. The refrigerator must be capable of maintaining an internal temperature of 4°C or less.
  - d. Install a stove, kitchen sink, and counters within the kitchen. The surfaces of the counters must be smooth, impervious to moisture, and easy to clean.
  - e. Repair/replace the back door to ensure it is capable of being closed and secured. Install weatherstripping around the back door.
  - f. Install guardrails along the stairs between the main floor and the basement. Ensure there are no openings of >4 inches between the horizontal members of the stairs/guardrails.
  - g. Repair/replace the guardrails along the front steps of the home. The height of the guardrails must be at least 36 inches high and there must be no gaps of >4 inches between the spindles.
  - h. Repair/cap the open wires throughout the home.
  - i. Replace the missing and cracked/broken windows throughout the basement.
  - j. Replace the missing transition strip between the living room and bathroom flooring.
  - k. Repair/replace the mechanical ventilation fan in the washroom.
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, February 10, 2025.

Confirmation of a verbal order issued to Emmanuel Savice on February 7, 2025.

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>

**Order of an Executive Officer – Closed for Tenant Accommodation – Order to Vacate**

**RE: The premises located in Edmonton, Alberta and municipally described as: 11313 86 Street NW Edmonton, AB T5B 3H9**

<https://www.ahs.ca/eph>