

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

**To:** Abdul-Muty Abu-Msameh  
"the owner"

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

**RE:** The "housing premises" located in Edmonton, Alberta and municipally described as:  
**Basement northwest suite; 1133 Lakewood Road North NW**

**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 window of the bedroom where sleeping was occurring was measured to be approximately (19.5 inches by 19.5 inches), for a total area of 2.64 square feet in the openable area. The window opening was also obstructed by a deck and did not provide a clear path for emergency egress.
- b. There was no smoke alarm installed in the suite.

**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. The window of the bedroom where sleeping was occurring was measured to be approximately (19.5 inches by 19.5 inches), for a total area of 2.64 square feet in the openable area. The window opening was also obstructed by a deck and did not provide a clear path for emergency egress, and is in contravention of section 3(b) 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. (i) Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15"). (ii) If the window referred above 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.

- b. There was no smoke alarm installed in the suite, which is in contravention of section (IV) (12) of the Minimum Housing and Health Standards which states that Smoke alarms within dwelling 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 and 12 (a) which states that Smoke alarms shall be operational and in good repair at all times.

**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 January 4, 2016**.
- 2. That the owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Ensure that the suite is not used for sleeping or habitation purposes at any time.
  - b. The suite is to be used for storage and utilities only.
- 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, December 16, 2015

\_\_\_\_\_(Original Signed)\_\_\_\_\_  
Eleanor Lee, 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 within ten (10) days after receiving the order to the Public Health Appeal Board located at Reception, Main Floor, Telus Plaza, 10025 Jasper Avenue, Edmonton, Alberta, T5J 1S6, Telephone 780-427-2813 Fax 780-422-0914.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or the Public Health Appeal Board 780-427-2813.

You are advised that all orders remain in effect pending such an appeal

### 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)*