

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

To: Saverio (Sam) Scarpino Karen Scarpino
 "the Owner" "the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
11414 85 Street 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. There was no hot water provided to the house.
- b. The handrail was missing from the left side of the front (east) exterior stairs.
- c. The front (east) door jamb was in disrepair and the door could not be adequately locked.
- d. The basement northeast bedroom did not have adequate means of emergency egress. The window opening was measured as 14 inches by 16 ½ inches.
- e. The basement bathroom ceiling light fixture was hanging from wires from an exposed electrical box.
- f. The basement bathroom shower fixture was in disrepair.
- g. The basement living room had an exposed electrical box with electrical wires on the ceiling.
- h. The head clearance along the stairs leading to the basement was too low, measured at under 5 feet 6 inches at its lowest height.

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 no hot water provided to the house. This is in contravention of Section 9 of the Minimum Housing and Health Standards which states that: Every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants. (a) All hot running water shall be maintained at a temperature of not less than 46 degrees C (114 degrees F), and not more than 60 degrees C (140 degrees F) measured at the plumbing fixture.
- b. The handrail was missing from the left side of the front (east) exterior stairs. 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.

- c. The front (east) door jamb was in disrepair and the door could not be adequately locked. 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.
- d. Main floor bathroom door and lock was damaged. This is in contravention of Section 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.
- e. Electrical cover plates were missing in places. 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.
- f. The main floor bathtub faucet knob (left) was missing. This is in contravention of Section 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. Further sealing was required along the bathtub joints. This is in contravention of Section 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.
- h. The main floor northwest bedroom flooring was in disrepair in places and the transition strip was broken. 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.
- i. Screens were missing from ventilation from various windows in the house. This is in contravention of Section 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.
- j. The stove was in disrepair: the left back burner did not work and the control knob for the back right burner was missing. This is in contravention of Section 14(a) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: ... (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 degrees F).
- k. The light switch by the back (west) door was in disrepair and was not operational. 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.
- l. The basement northeast bedroom did not have adequate means of emergency egress. The window opening was measured as 14 inches by 16 ½ inches. This is in contravention of Section 3(b)(i, ii) of the Minimum Housing and Health Standards which

states that: (i) 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. (ii) 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").

- m. There was no ventilation in the basement bathroom. 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".
- n. The basement bathroom ceiling was not smooth and easy to clean. The ceiling consisted of exposed joists and building material, ductwork and wiring. This is in contravention of Section 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.
- o. The basement bathroom ceiling light fixture was hanging from wires from an exposed electrical box. 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.
- p. The basement bathroom shower fixture was in disrepair. This is in contravention of Section 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.
- q. The basement living room had an exposed electrical box with electrical wires on the ceiling. 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.
- r. The head clearance along the stairs leading to the basement was too low, measured at under 5 feet 6 inches at its lowest height. This is in contravention of Section 5(2) of the Housing Regulation (AR 173/99) that states that: 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.

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 May 1, 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. Ensure that hot water is provided in sufficient volume and pressure to the rental premises.
 - b. Install a handrail along the left side of the front (east) exterior stairs. Ensure that the front stair and porch handrails/guards comply with the Alberta Building Code.
 - c. Ensure that the front door and door jamb are in good repair and capable of being adequately secured.
 - d. Repair or replace the main floor bathroom door and lock so that they are in good condition.
 - e. Ensure that all electrical switches and plugs have cover plates.
 - f. Install a bathtub faucet knob in the main floor bathroom. Ensure that the bathtub fixtures are in good repair.
 - g. Ensure that the bathtub joints in the main floor bathroom are properly sealed.
 - h. Repair or replace the flooring in the main floor northwest bedroom, including the transition strip.
 - i. Ensure that all windows intended for ventilation are supplied with effective screens during the portion of the year when there is a need for protection against flies and other flying insects.
 - j. Ensure that all stove burners are in proper working order and are supplied with control knobs.
 - k. Repair or replace the light switch by the back (west) door so that it is operational and in good repair.
 - l. Ensure that all rooms used for sleeping purposes have an adequate means of emergency egress. Windows used for emergency egress are to provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15").
 - m. Ensure that the basement bathroom has natural or mechanical ventilation.
 - n. Ensure that the basement bathroom walls, floors and ceiling finishes 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 the shower.
 - o. Repair or replace the basement bathroom light fixture so that it is in a good and safe working condition.
 - p. Repair or replace the basement bathroom shower fixture so that it is in good repair.
 - q. Repair the ceiling electrical box in the basement living space so that it is in good and safe condition.
 - r. Ensure that the head clearance along the stairs leading to the basement is a minimum of 6 feet or greater.
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 and secured from unauthorized entry.

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, April 4, 2025

Confirmation of a verbal order issued to Saverio (Sam) Scarpino on April 2, 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
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>

Edmonton • Seventh Street Plaza • Environmental Public Health

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www.albertahealthservices.ca/eph