

**ORDER OF AN EXECUTIVE OFFICER
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE**

To: **Sadatbay01 Ltd** **Adebayo Adeleye**
 "the Owner" "Director"

 Laurie Adeleye Bentley Miller
 "Property Manager" "Property Manager"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
 11441 – 65 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. The premises has no water service to the home.
- b. The main water line before the water meter had been shut off at the property line as the line was cracked and a significant amount of water was seeping into the basement area.
- c. The basement concrete around the main water line had been broken up exposing the water line. The disturbed concrete had been piled up beside the dug up area.
- d. The last two steps of the stairs that lead to the basement have been removed.
- e. There was no hand railing for the stairs that lead to the basement.
- f. There was no guard for the stairs that lead to the basement.
- g. There was water damage around the window in the bathroom.
- h. There was wall damage on the exterior walls in both bedrooms on the main floor. There was also water streaking on the exterior walls indicating possible issues with water infiltration from the roof.
- i. There was a large amount of ice damming noted on the south side of premises. Ice damming causes water infiltration into the premises from the roof.
- j. There was a large amount of ice on the side walk caused from the ice damming melting.
- k. The window in a bedroom in the basement was too small for emergency egress. The unobstructed egress was measured from the outside of the premises. The estimated unobstructed opening measured 11 X 17 inches equaling 187 inch squared or 0.12 meters squared.

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 premises has no water service to the home this 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.
- b. The main water line before the water meter had been shut off at the property line as the line was cracked and a significant amount of water was seeping into the basement area this in contravention of section IV(6)(c) of the Minimum Housing and Health Standards which states that: All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- c. The basement concrete around the main water line had been broken up exposing the water line. The disturbed concrete had been piled up beside the dug up area this in contravention of section III(1)(a,b) of the Minimum Housing and Health Standards which states that: the housing premises shall be structurally sound, and; basements, cellars or crawl spaces shall be structurally sound, and maintained in good repair.
- d. The last two steps of the stairs that lead to the basement have been removed this in contravention of section III(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, hand rails, 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.
- e. There was no hand railing for the stairs that lead to the basement this in contravention of section III(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, hand rails, 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.
- f. There was no guard for the stairs that lead to the basement this in contravention of section III(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, hand rails, 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.
- g. There was water damage around the window in the bathroom this in contravention of 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.
- h. There was wall damage on the exterior walls in both bedrooms on the main floor. There was also water streaking on the exterior walls indicating possible issues with water infiltration from the roof this 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.
- i. There was a large amount of ice damming noted on the south side of premises. Ice damming causes water infiltration into the premises from the roof this in contravention of section III(2)(a) of the Minimum Housing and Health Standards which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- j. There was a large amount of ice on the side walk caused from the ice damming melting this 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.

- k. The window in a bedroom in the basement was too small for emergency egress. The unobstructed egress was measured from the outside of the premises. The estimated unobstructed opening measured 11 X 17 inches equaling 187 inch squared or 0.12 meters squared this 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”).

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Unfit for Human Habitation**.

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

1. That the occupants vacate the above noted premises on or before April 01, 2018.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. To retain the services of a professional qualified plumber to repair main water line into the premises and ensure the premises is supplied with potable water. They are also to assess the entire plumbing system and submit a written report to the Public Health Department with Alberta Health Services.
 - b. To retain the services of a professional roofer to evaluate the cause of the ice damming and to repair as required. They are to submit a written report to the Public Health Department with Alberta Health Services.
 - c. Repair all the wall damage in the bedrooms on the main floor. Ensure that all walls, and floor covering is maintained in good repair, free of cracks, holes, loose and in a condition that renders it easy to clean.
 - d. Repair the water damaged wall in the shower area around the window. Ensure that all rooms containing a flush toilet and/or a bathtub or shower have walls and floors that are smooth, non-absorbent to moisture and easy to clean. Ensure that all walls form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.
 - e. Repair the basement flooring around the exposed water line once the pipe has been repaired. Ensure all floors are maintained in good repair, free of cracks, holes, loose and in a condition that renders it easy to clean.
 - f. Repair the steps that lead to the basement area and ensure that the stairs are equipped with a hand railing and a guard. Ensure inside or outside stairs or porches including all treads, risers, supporting structural members, hand rails, guards and balconies, are maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.
 - g. Install a bedroom window in the basement bedroom that is accordance with the emergency egress regulations of 543 inches squared or 0.35 meters squared. Ensure that all bedrooms are provided with an unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”)
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 vacant and secure 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, March 15, 2018.

Confirmation of a verbal order issued to Laurie Adeleye on March 09, 2018.

_____(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

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