

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

To: 2201519 ALBERTA CORP. Roman Bouz Rohan Parab
"the Owner" "the Owner" "the Owner"

Roman Verbytskyy Salvador Villanueva
"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:
11517 95 Street NW Edmonton, T5G 1L5.

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 an accumulation of water in the basement. The water covered the base of the hot water tank and the furnace.
- b. There was water damage and moisture within the suspended ceiling of the main floor dining room. Indications included water staining and high moisture meter readings.
- c. Moisture in the ceiling of the upstairs master suite bathroom; indicated by the presence of mold, water damaged drywall and high level of moisture level readings.
- d. There was cracked windows in the main floor bathroom and kitchen.
- e. There was an absence of insect screens in openable windows.
- f. The hot water tap was not functioning on the sink of the main floor washroom.
- g. Sink basins not secure (in bathroom 1, bathroom 2, and master bedroom bathroom); indications include noticeable movement when basins were touched.
- h. There was inadequate weatherproofing of upstairs master bedroom exterior door to the patio; indications include visible light around the side and bottom of the door as viewed from the interior.
- i. There was damaged and missing carpet in the upstairs hallway.
- j. There was rotted and damaged surface boards in the upstairs patio and main floor deck; indicated by moving surface boards when pressure was applied.
- k. There was missing and damaged exterior cladding along the bottom right corner of the front window.

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 an accumulation of water in the basement. The water covered the base of the hot water tank and the furnace. This is in contravention of Section 1(b) of the Minimum Housing and Health Standards, which states “Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.”
- b. There was water damage and moisture within the suspended ceiling of the main floor dining room. Indications included water staining and high moisture meter readings. This is in contravention of Section 1(c) of the Minimum Housing and Health Standards, which states “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
- c. Moisture in the ceiling of the upstairs master suite bathroom; indicated by the presence of mold, water damaged drywall and high level of moisture level readings. This is in contravention of Section 1(c) of the Minimum Housing and Health Standards, which states “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
- d. There was cracked windows in the main floor bathroom and kitchen. This is in contravention of Section 2(b)(i) of the Minimum Housing and Health Standards, which states “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- e. There was an absence of insect screens in openable windows. This is in contravention of Section 2(b)(iii) of the Minimum Housing and Health Standards, which states “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.”
- f. The hot water tap was not functioning on the sink of the main floor washroom. This is in contravention of Section 7(a) of the Minimum Housing and Health Standards, which states “The washbasins and bathtub or shower shall be supplied with potable hot and cold running water.”
- g. Sink basins not secure (in bathroom 1, bathroom 2, and master bedroom bathroom); indications include noticeable movement when basins were touched. This is in violation of Section 3(2) of the Housing Regulation, which states “An owner shall ensure that the housing premises’ plumbing system and facilities provided under subsection (1)(b) are free from defects and maintained in proper operating condition.”
- h. There was inadequate weatherproofing of upstairs master bedroom exterior door to the patio; indications include visible light around the side and bottom of the door as viewed from the interior. This is in contravention of Section 2(b) of the Minimum Housing and Health Standards, which states “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- i. There was damaged and missing carpet in the upstairs hallway. This is in contravention of Section 5 of the Minimum Housing and Health Standards, which states “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.”
- j. There was rotted and damaged surface boards in the upstairs patio and main floor deck; indicated by moving surface boards when pressure was applied. This is in contravention of Section 1(c) of the Minimum Housing and Health Standards, which states “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
- k. There was missing and damaged exterior cladding along the bottom right corner of the front window. This is in contravention of Section 2(a) of the Minimum Housing and Health

Standards, which states “The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”

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 July 4, 2023.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Investigate the source of the water infiltration and send copies of reports to the offices of Environmental Public Health. Repair source of water infiltration, following recommendations of licenced professionals, indicated on reports sent to the offices of Environmental Public Health. Remove water from the basement and assess potentially water damaged items in the basement such as building material, furnace, hot water heater, plumbing, and other items that cannot be dried and cleaned. Send copies of reports from licenced professionals indicating what work needs to be completed to the offices of Environmental Public Health.
 - b. Investigate and abate the source of the leak in main floor ceiling and remove and replace water damaged building materials. Ensure any building material that is needs to be disturbed Is tested for asbestos and the Alberta Asbestos Abetment Manual is followed.
 - c. Investigate and abate the source of the leak in the ceiling of on suite bathroom and remove and replace water damaged building material. Ensure any building material that is needs to be disturbed Is tested for asbestos and the Alberta Asbestos Abetment Manual is followed.
 - d. Replace cracked windows and ensure that all windows are weatherproof.
 - e. Ensure every window that openable is fitted with insect screens.
 - f. Repair plumbing and ensure it is in proper operating conditions.
 - g. Ensure that all sink basins are installed correctly, free of leaks, and secure.
 - h. Ensure all exterior doors are in good repair and weatherproof.
 - i. Ensure all flooring walls and ceilings are repaired or replaced so that they are free of cracks holes, loose or lifting covers and are easy to clean.
 - j. Ensure that all deck boards are free of rotted material and structurally sound and safe for use.
 - k. Repair exterior the cladding so that it is waterproof, windproof, and weatherproof.
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, June 20, 2023.

Confirmation of a verbal order issued to Salvador Villanueva on June 19, 2023

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, 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>

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Suite 700, 10055 – 106 Street NW, Edmonton, AB T5J2Y2

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