

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

To: Manasseh Azenda
"the Owners"

Chinonyerem Azenda
"the Owners"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
11623 112 Avenue NW, Edmonton, AB, T5G 0H8

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. Mold-like growth was observed at, but not limited to: the wall in the north east corner of the living room, the windowsills in the master bedroom, under the stairs leading to the basement, the space across from the furnace in the basement, under the flooring in the basement bedrooms and on the unfinished walls around the washing machine and dryer in the basement.
- b. There is what appears to be mushroom growth under the unfinished walls next to the dryer in the basement.
- c. The window in the upstairs children's bedroom cannot be locked.
- d. The openable area of the windows in both bedrooms in the basement were measured at 14x14 inches (1.36 ft²). This is less than the required 3.8ft² and thus they are too small for emergency egress in the event of a fire.
- e. The handrail for the stairs which lead to the basement is loose.

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. Mold-like growth was observed at, but not limited to: the wall in the north east corner of the living room, the windowsills in the master bedroom, under the stairs leading to the basement, the space across from the furnace in the basement, under the flooring in the basement bedrooms and on the unfinished walls around the washing machine and dryer in the basement. This is contravention of section 5(2) of the Housing Regulation which 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.

- b. There is what appears to be mushroom growth under the unfinished walls next to the dryer in the basement. This is contravention of section 5(2) of the Housing Regulation which 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.
- c. The window in the upstairs children's bedroom cannot be 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. The openable area of the windows in both bedrooms in the basement were measured at 14x14 inches (1.36ft²). This is less than the required 3.8ft² and thus they are too small for emergency egress in the event of a fire. This is in contravention of section 3(b)(ii) of the Minimum Housing and Health Standards which states that windows for emergency egress shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15").
- e. The handrail for the stairs which lead to the basement is loose. 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.
- f. The flooring in the basement bathroom is in disrepair and sinks when it is stepped on. 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.
- g. There are cracks in the ceiling in the kitchen. This is 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.
- h. The flooring is bowing on the south side of the dining room. This is 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. The back door is not weatherproof. A draft can be felt around the edges of the door. 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.
- j. The kitchen window is not weatherproof. Evidence of severe frost buildup on cold winter days has been reviewed. 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. A pane in the kitchen window is cracked. 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 December 1, 2024.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remove all visible mold and mushrooms from the premises and address the cause of the moisture that led to the mold and mushroom growth.
 - b. Modify or replace the windows in the basement bedrooms such that the openable area is at least 3.8ft² with no dimension less than 15 inches.
 - c. Repair or replace all damaged, lifting or sinking flooring in the premises.
 - d. Repair the lock on the window in the upstairs children's bedroom such that the window is capable to be locked.
 - e. Repair the cracks in the kitchen ceiling.
 - f. Repair the handrail for the stairs which lead to the basement such that it is no longer loose.
 - g. Repair the back door and kitchen window such that they are both weatherproof.
 - h. Replace or repair the cracked pane of the kitchen window.
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, November 26, 2024.

Confirmation of a verbal order issued to Manasseh Azenda on November 25, 2024.

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>

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