

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

To: Banthit, Bana, Lita and Bounsougma Seanthavesouk
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
Basement Suite- 11813 68 Street, Edmonton, AB

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 functional smoke alarm in the basement suite.
- b. There was a sewage back-up in the basement. Sewage and grey water was noted in the bathroom sink, on the bathroom floor, and over flowing from the toilet. The sewage and grey water was also entering the hallway between the kitchen and the bedroom.
- c. The laundry room had evidence of a recent back up. Grey water was accumulating in the floor drain and there was a strong sewage smell.
- d. There was evidence of water damage and staining on the floor in the laundry room.
- e. A pipe under the kitchen sink was leaking.
- f. There was water pooling in the back corner under the kitchen sink. (This was not near the leaking pipe).
- g. The west wall in the kitchen (where the cupboards are located) had water damage and staining.
- h. The interior of the kitchen cupboards were in disrepair, there were no backs on the cupboard boxes and the damaged, wet, wall and wall cavity were exposed.
- i. The trim around the exterior door at the side entrance was damaged and the door was not properly weatherproofed.
- j. There were floor baseboards missing at the top of the stairs.
- k. The light in the stairway was not working.
- l. The gas line for the stove did not appear to be properly installed. The gas line was being held upright with rope and wood pieces which were acting as a weight to hold the pipe upright.
- m. The window screen in the bedroom was damaged and did not fit in the window properly.
- n. Electrical outlets throughout the home were missing plate covers.
- o. There was a section of ceiling in the kitchen which was covered with duct tape.

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 functional smoke alarm in the basement suite is in contravention of section IV(12) of the Minimum Housing and Health Standards which states that: Smoke alarms within dwellings 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 section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.
- b. There was a sewage back-up in the basement. Sewage and grey water was noted in the bathroom sink, on the bathroom floor, and over flowing from the toilet. The sewage and grey water was also entering the hallway between the kitchen and the bedroom which is in contravention of section IV(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
- c. The laundry room had evidence of a recent back up. Grey water was accumulating in the floor drain and there was a strong sewage smell which is in contravention of section IV(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
- d. There was water damage and staining on the floor in the laundry room and bathroom which is in contravention of section III(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. The pipe under the kitchen sink was leaking which is in contravention of section IV(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.
- f. There was water pooling in the back corner under the kitchen sink which is 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 and free from water infiltration and accumulation.
- g. There was water damage and staining on the west wall in the kitchen (where the cupboards are located) which is in contravention of section III(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.
- h. The interior of the kitchen cupboards were in disrepair, there were no backs on the cupboard boxes and the damaged, wet, wall and wall cavity was exposed which is in contravention of section III(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.

- i. The trim around the exterior door at the side entrance was damaged and the door was not properly weatherproofed which is in contravention of section III of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition.
- j. There were missing floor baseboards at the top of the stairs which is 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.
- k. The light in the stairway was not working which is in contravention of section IV(13) of the Minimum Housing and Health Standards which states that: Every public hallway and stairway in a housing premises with multiple dwellings shall be adequately lighted by natural or artificial light at all times, providing in all parts thereof at least 50 lux of light at each tread or floor level.
- l. The gas line for the stove did not appear to be properly installed. The gas line was being held up right with rope and wood pieces which were acting as a weight to hold the pipe up right which is in contravention of section 5 of the Housing Regulations 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.
- m. The window screens were damaged and did not fit in the window properly which is in contravention of section III(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.
- n. Electrical outlets throughout the home were missing plate covers which is in contravention of section IV(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.
- o. There was a section of ceiling in the kitchen which was covered with duct tape which is in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.

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 July 25, 2016.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install a functional smoke alarm in the basement suite and ensure it is in good working order at all times.
 - b. Retain the services of an Environmental Consultant or Industrial/Occupational Health Hygienists to assess the conditions within the above noted premises and

- to oversee all remediation work carried out in the premises. Documentation of the work must be provided to the undersigned.
- c. Investigate the cause of the sewage backup and conduct any necessary repairs. The work must be completed by a qualified contractor. Documentation of the work must be provided to the undersigned.
 - d. Remove all sewage and water damaged material, and/or sewage contaminated materials, including drywall, flooring and subfloor from the washrooms, the kitchen and the laundry room. Leave the walls and areas open for further assessment by an Executive Officer of Alberta Health Services prior to installing new material. Once an Executive Officer assesses the area, new materials can be installed.
 - e. Clean and sanitize all affected areas, as well as any other areas that were in contact with the sewage. The premises must be appropriately cleaned and sanitized by a qualified professional cleaning company trained to manage sewage cleanup. Documentation of the work must be provided to the undersigned.
 - f. Ensure all plumbing fixtures throughout the premises are in good repair and free of leaks.
 - g. Identify and correct the source of water which is pooling in in the back corner under the sink. Remove and replace any damaged material and clean and sanitize the area.
 - h. Remove all water damaged material from the kitchen. Clean and sanitize the area and replace with material which is in good repair.
 - i. Ensure all cupboards in the kitchen are in good repair.
 - j. Ensure the trim around the exterior door at the side entrance is repaired and is maintained in good repair and in a weatherproof condition.
 - k. Ensure baseboards are installed at the top of the stairs.
 - l. Ensure the light(s) in the stairway is capable of providing 50 lux of lighting.
 - m. Ensure gas appliances are installed in accordance with gas code regulations made pursuant to the Safety Codes Act. Have a qualified individual assess the gas lines and conduct any necessary modifications. Documentation of the work must be provided to the undersigned.
 - n. Ensure window screens which are damaged are replaced or repaired so they fit properly in the window area.
 - o. Ensure all electrical outlets have plate covers.
 - p. Ensure the section of ceiling covered with duct tape is repaired.
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, July 22, 2016

Confirmation of a verbal order issued to Bana Seanthavesouk on July 22, 2016.

_____(Original Signed)_____
Meaghen Allen, 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 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: 780-427-2813
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