

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

To: Hang LE
Edmonton, Alberta

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

RE: Those housing premises located in **Edmonton, Alberta** and municipally described as:
11829 – 79 Street. Legal land description: Plan 2436AB, Block 8, Lot 9

WHEREAS I, an **Executive Officer of Alberta Health Services**, have inspected the above 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 the prevention or suppression of disease, namely:

- a. The foundation and support structures did not appear to be structurally sound, and there were signs of structural movement. Specifically, the main floor doorways were not square; the floors were dropping and were not level; some of the support beams in the basement were not supported at the ends due to foundational movement; and the interior foundation wall was constructed of non-treated wood.
- b. The roof across the ridge line has dropped from the centre point.
- c. There was evidence of water infiltration from the roof/exterior into the west living room ceiling and wall area.
- d. The west living room wall was bowing inward and was water damaged.
- e. There was no handrail on the stairwell to the basement.
- f. The sewer stack was leaking fluid near the base at the basement floor.
- g. The gas stove is not maintained in good working condition: the gas to the stove was turned on and off at the kitchen gas shut off valve.
- h. The electric outlet cover was missing in the bathroom.

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 foundation and support structures did not appear to be not be structurally sound which is a contravention of section III(1) of the Minimum Housing and Health Standards which states: (a) the housing premises shall be structurally sound. (b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation. (c) Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced. (d) Repairs or

modifications required by the Executive Officer of any structural element of the housing premises may require the design and/or supervision of a professional structural engineer or a Safety Codes Officer (building discipline).

- b. The roof across the ridge line has dropped from the centre point which is a contravention of section III(1) of the Minimum Housing and Health Standards which states: (a) the housing premises shall be structurally sound. (b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation. (c) Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced. (d) Repairs or modifications required by the Executive Officer of any structural element of the housing premises may require the design and/or supervision of a professional structural engineer or a Safety Codes Officer (building discipline).
- c. There was evidence of water infiltration from the roof/exterior into the second floor of the premises which is a contravention on section III(1)(c) 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. 1(c) Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- d. The west living room wall was bowing inward and was water damaged which is a contravention of section III(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.
- e. There was no guardrail on the stairwell to the basement which is a contravention of section 3(c)(i) of the Minimum Housing and Health Standards which states that inside or outside stairs or porches including 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 sewer stack was leaking fluid near the base at the basement floor which is a contravention of section IV(6) of the Minimum Housing and Health Standards which states: Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. (a) 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. (b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- g. The gas stove is not maintained in good working condition which is a contravention of section IV(14)(a)(iv) of the Minimum Housing and Health Standards which states: 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).

- h. The electric outlet cover was missing in the bathroom which is a contravention of section IV(11) of the Minimum Housing and Health Standards which states: outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working 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**:

- a. That the premises is to remain vacant.
- b. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Obtain the services of a Professional Engineer, registered to practice in the Province of Alberta, to provide a structural certification report of the entire building.

The report shall:

1. Provide the Engineer's professional opinion on the structural integrity of the ***entire building***, with specific comment on the individual components thereof (*including the foundation, support structure, ceilings, floors, and roof*) and whether the building is safe for occupancy.
 2. Be affixed with the Engineer's signature and professional seal.
 3. Be accompanied by a detailed design repair method, complete with drawings or plans and be affixed with the Engineer's signature and professional seal.
 4. If repairs are required, the Engineer must provide a follow-up Engineer Report following the completion of the required repairs.
 5. Copies of these reports are to be forwarded to this office.
- b. Install a handrail along the stairwell leading to the basement that complies with the current Alberta Building Code.
 - c. Ensure that all the building materials on the west living room ceiling and wall area that shows evidence of water damage and other deterioration are repaired or replaced.
 - d. Ensure that the basement sewage stack is inspected and repaired by a qualified contractor. Ensure all plumbing fixtures are serviceable, free from leaks, trapped and vented to the outside.
 - e. Ensure that the stove and gas fittings are in proper working condition.
 - f. Ensure all outlets, switches and fixtures are properly installed and are maintained in a good and safe working condition.

- g. Ensure that all modifications and subsequent renovations to the basement are accompanied by the appropriate building and electrical permits from the City of Edmonton. Please provide copies of those permits to this office.

- c. 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, January 16, 2015

_____(Original Signed)_____
Rebecca Johnson, BSc., BEH(AD), 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 within ten (10) days after receiving the order to the Public Health Appeal Board located at Reception, Main Floor. Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta, T5J 1S6, Telephone 780-427-2813 Fax 780-422-0914.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or the Public Health Appeal Board 780-427-2813.

You are advised that all orders remain in effect pending such an appeal

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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Suite 700, 10055 – 106 Street, Edmonton, Alberta, Canada T5J 2Y2

www.albertahealthservices.ca