

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

To: Adam F M LUV
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
Suite 303, 11835 97 Street NW

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. Water infiltration, evidenced by staining on the bedroom ceiling and walls.
- b. Wall deterioration and mould, indicated by water staining along the ceilings, deterioration along west, north and east walls had deteriorated; and mould was noted along the upper portion of the east wall.
- c. The bedroom ceiling and wall finishes were damaged and in disrepair.
- d. The west wall of the bedroom was reduced to studs and insulation, covered with a make-shift plastic vapour barrier.
- e. The smoke alarm was not installed properly, as it was hanging by its wires.

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. Condition [b] was 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.
- b. Condition [a] was 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.
- c. Conditions [c and d] were 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.
- d. Condition [e] was 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. (a) Smoke alarms shall be operational and in good repair at all times.

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 May 31, 2023.
- 2) That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a) Hire a qualified roofing contractor to assess the integrity of the roof and repair any potential sources of water infiltration.
 - b) Retain the services of an **Environmental Consultant or Industrial/Occupational Health Hygienist, that must be approved by Alberta Health Services and prior to the commencement of renovation or repairs**: As this building was built prior to 1990, the presence of asbestos within building materials is likely thus all precautions must be taken. Ensure proper removal/handling of impacted materials following current codes and standards. The consultant must assess the conditions within the above noted premises including performing applicable sampling for asbestos containing materials.
 - i) In the event asbestos is present **provide Environmental Public Health with a written asbestos management/abatement plan in accordance with the Alberta Occupational Health and Safety Code for Asbestos abatement**.
 - ii) Then the environmental consultant will assess the conditions within the above noted premises for all water damaged materials and mould in the bathroom and any other affected areas. A full pre mould remediation inspection report is required. At a minimum the report must describe the building construction, finishes, materials and components and recommendations for restoration. All hazardous building materials are to be properly managed and disposed of in accordance with government standards and guidelines and industry codes of practice. Once the materials have been removed and a post mould remediation report is required this will include environmental air quality sampling and photographic evidence that all mouldy material has been. **Testing and reporting shall follow the requirements outlined in Alberta Health Services' Fungal Air Testing**
 - c) Repair/replace any of the damaged walls and ceiling material. Ensure 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.
 - d) Ensure that the smoke alarm is properly mounted and is in good operating condition.
- 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, April 28, 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 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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Template revised April 25, 2022