

ORDER OF AN EXECUTIVE OFFICER

To: Stewart Boyd and Joan Law

“the Owners”

RE: Those housing premises located in Edmonton, Alberta and municipally described as:

Basement Suite

11842 – 89 Street

Lot 12 Block 7 Plan RN76

WHEREAS I, an **Executive Officer of Alberta Health Services**, have inspected the Basement Suite in 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. The kitchen countertop showed evidence of water damage, in the area surrounding the sink. The countertop was warped and the underside of the counter was badly stained.
- b. The wall at the back of the cupboard, under the kitchen sink, showed evidence of water damage. There were brown water stains and the paint was bubbling and cracking.
- c. There was evidence of moisture outside of the washroom, to the left of the door: the flooring had high moisture meter readings; the base of the wall had high moisture meter readings.
- d. There was a gap in the wall, above the baseboards, to the left of the door, outside of the washroom.
- e. The oven door did not fully close.
- f. The caulking behind the washroom sink was cracked and not creating a watertight joint.
- g. The baseboards in the shower were separating from the wall.
- h. The caulking behind the kitchen sink, at the counter/wall joint, did not create a watertight joint.
- i. The smoke alarm was not operational and had expired in 2016.
- j. The headroom clearance above the stairs, leading to the basement was less than 6 feet (72 inches).

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. Violations [a and b] are 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. Violation [c] 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 and 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.
- c. Violation [d] 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.
- d. Violation [e] 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 and of section IV(14)(a)(i) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and proper operating condition.
- e. Violations [f and g] are in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.
- f. Violation [h] 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.
- g. Violation [i] is in contravention of 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.
- h. Violation [j] is in 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 conditions that may hinder in any way the prevention or suppression of disease.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure all building materials that have been damaged or show evidence of rot or other deterioration are repaired or replaced. Including:
 - i. Repair or replace the kitchen countertop.
 - ii. Repair or replace the wall at the back of the cupboard, under the kitchen sink.
 - b. Investigate and correct the source of the water outside of the washroom. Dry wet areas and remove water damaged materials. Ensure that the housing premises is structurally sound,

- in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition
- c. Repair or replace the wall above the baseboards, to the left of the door, outside of the washroom. Ensure all walls, windows, ceilings, floors, and floor coverings are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
 - d. Repair or remove the oven. Ensure a stove is available that is maintained in a safe and proper operating condition.
 - e. Repair the caulking behind the washroom sink. Ensure rooms containing a flush toilet and/or a bathtub or shower have walls and floors that are smooth, non-absorbent to moisture and easy to clean and that all walls form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.
 - f. Repair the caulking behind the kitchen sink. Ensure rooms and sections of rooms that are used for food preparation and cooking have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
 - g. Replace the smoke alarm. Ensure smoke alarms are operational and in good repair at all times.
 - h. Increase the head clearance to a minimum of 6 feet (72 inches) or greater in order to not impede egress during an emergency.

2. The work referred to in paragraph 1 shall be completed by:

- **Item [g] immediately.**
- **Items [a through f] and [h] by February 23, 2018.**

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 24, 2018

_____(Original Signed)_____
Stephanie Bodnar, CPHI(C)
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, Telus Plaza North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
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