

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

To: Dennis Savoie
"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 - 11915 87 Street NW Edmonton, AB T5B 3N2

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 very low headroom clearance within the basement. The height from the floor of the basement to the ceiling measured 60 inches in several places.
- b. The windows in the basement were too small to meet emergency egress (the openable area of the windows measured 26.5" x 12"). Furthermore, the windows were a hopper style window that hinged along the sides and into the suite, inhibiting egress. There were at least 4 mattresses present within the basement indicating the space was being used for sleeping.
- c. There was no window present in the South basement bedroom.
- d. There were no smoke alarms present to notify the basement occupants in the event of an emergency.
- e. There were mice droppings present around the furnace.
- f. The shared stove in the upstairs kitchen was disconnected. The owner (present at the time of inspection) indicated this was because the home was on a power limiter and the stove would trigger the breaker.

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 very low headroom clearance within the basement. The height from the floor of the basement to the ceiling measured 60 inches in several places. This is in contravention of Section 5(2) of the Alberta Housing Regulation (AR 173/99), 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. The windows in the basement were too small to meet emergency egress (the openable area of the windows measured 26.5" x 12"). Furthermore, the windows were a hopper style window that hinged along the sides and into the suite, inhibiting egress. There were at least 4 mattresses present within the basement indicating the space was being used for sleeping. This is in contravention of Sections 3(b)(i) and 3(b)(ii) of the Minimum Housing and Health Standards, which states that "(i) For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge. (ii) Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15")."
- c. There was no window present in the South basement bedroom. This is in contravention of Sections 3(b)(i) of the Minimum Housing and Health Standards, which states that "For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge."
- d. There were no smoke alarms present to notify the basement occupants in the event of an emergency. This is in contravention of Section 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."
- e. There were mice droppings present around the furnace. This is in contravention of Section 16 of the Minimum Housing and Health Standards, which states that "The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition."
- f. The shared stove in the upstairs kitchen was disconnected. The owner (present at the time of inspection) indicated this was because the home was on a power limiter and the stove would trigger the breaker. This is in contravention of Section 14(a)(iv) of the Minimum Housing and Health Standards, which states that "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°F)."
- g. The basement bathroom was not fitted with a mechanical ventilation fan or openable window to facilitate ventilation. This is in contravention of Section 7(c) of the Minimum Housing and Health Standards, which states that "All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation."

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 5, 2025.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

- a. Due to the headroom clearance concerns and lack of window egress options within the basement, the basement space cannot be used for living purposes. Remove all mattresses and personal belongings from the basement.
 - b. Install a smoke alarm between each bedroom and the remainder of the suite.
 - c. Hire the services of a licensed pest control professional to treat the mouse infestation within the home. Retain the services of the licensed pest control professional until such time as the professional indicates the infestation has been removed. Provide copies of any reports generated by the pest control technician to Alberta Health Services (AHS) Environmental Public Health (EPH).
 - d. Connect the stove in the kitchen and provide adequate utilities (electricity) to be able to operate the stove.
 - e. Install a mechanical ventilation fan in the basement bathroom.
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, April 21, 2025.

Confirmation of a verbal order issued to Dennis Savoie on April 17, 2025.

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>

Edmonton • Seventh Street Plaza • Environmental Public Health

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