

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

**To: Stanley Boonstra Maria Boonstra
“the owners”**

**And To: All Occupant(s) of the following Housing premises:
11918 – 37 Street NW**

**RE: Those housing premises located in Edmonton, Alberta and municipally described as:
11918 – 37 Street NW, Edmonton Alberta**

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. Unfinished exterior trim around east facing upper floor window
- b. Soffit covers and insulation missing from front of house
- c. Front door handle does not lock
- d. Interior trim missing around front door
- e. Hole in wall by front door where mailbox use to be
- f. Main floor toilet does not flush
- g. Main floor living area cluttered with building material and debris
- h. Hand rail on stairs to second floor living area missing
- i. Trim on stairs to second floor living area missing
- j. Mouse excrement found on upper floor kitchen counters
- k. Finish on kitchen counter is coming off on surface and edges
- l. Silicon seal between kitchen counter and wall is missing
- m. Laminate flooring is coming apart
- n. Missing baseboards in all rooms on second floor
- o. Insect screen missing from upper floor Master Bedroom window

- p. Upper floor bedroom ensuite shower stall base seal is missing
- q. Upper floor bedroom ensuite sink is ill-fitted, with gaps around sink and counter
- r. Upper floor bedroom ensuite window has insufficient insulation
- s. Upper floor bedroom ensuite window frame shows signs of mould contamination
- t. Upper floor bedroom ensuite bathroom counter and cupboards in disrepair
- u. Upper floor bedroom ensuite shower stall has gap around shower head, and around shower taps
- v. Single panes windows in SE upper floor bedroom
- w. Damage to wall around SE upper floor bedroom window
- x. Unfinished walls and closet in SE upper floor bedroom
- y. Water stains on ceiling in South upper floor bedroom
- z. Exposed electric wires in hallway ceiling by bedrooms on upper floor
- aa. Upper floor living room window is broken
- bb. Upper floor patio door by kitchen does not lock
- cc. Upper floor rear balcony, accessed thru upper floor patio door, has no railings or guards
- dd. Heat vent covers are missing throughout upper floor living area
- ee. Lack of outside garbage containers for waste storage
- ff. Light switch cover missing or broken above stairs, and on east wall of kitchen on upper level

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. Unfinished exterior trim around east facing upper floor window. This is in contravention of Section 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.
- b. Soffit covers and insulation missing from front of house. This is in contravention of Section 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. Front door handle does not lock. . This is in contravention of Section 3(a) of the Minimum Housing and Health Standards which exterior windows and doors shall be capable of being secured.

- d. Interior trim missing around front door. This is in contravention of Section 5 (b) 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. Hole in wall by front door where mailbox use to be. This is in contravention of Section 5 (b) 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.
- f. Main floor toilet does not flush. This is in contravention of Sections 6(c) and 7 of the Minimum Housing and Health Standards which state all plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside; and “. . . every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower.
- g. Main floor living area cluttered with building material and debris. This is in contravention of the Nuisance and General Sanitation Regulation 2(1) and/or the Housing Regulation 5(2).
- h. Hand rail on stairs to second floor living area missing. This is in contravention of Section 3 (c) of the Minimum Housing and Health Standards which states “. . . rails . . . shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design."
- i. Trim on stairs to second floor living area missing. This is in contravention of Section 5 (b) 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.
- j. Mouse excrement found on upper floor kitchen counters. This is in contravention of Section 16(a) of the Minimum Housing and Health Standards which states the owner shall ensure the housing premises are free of insect and rodent infestations.
- k. Finish on kitchen counter is coming off on surface and edges. This is in contravention of Section 5 (b) of the Minimum Housing and Health Standards which states 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.
- l. Silicon seal between kitchen counter and wall is missing. This is in contravention of Section 5 (b) of the Minimum Housing and Health Standards which states 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.

- m. Laminate flooring is coming apart. This is in contravention of Section 5 (b) 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.
- n. Missing baseboards in all rooms on second floor. This is in contravention of Section 5 (b) 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.
- o. Insect screen missing from upper floor Master Bedroom window. This is in contravention of Section 2(b)(iii) of the Minimum Housing and Health Standards which states (MHHS) 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.
- p. Upper floor bedroom ensuite shower stall base seal is missing. This is in contravention of Section 6(c) of the Minimum Housing and Health Standards which states all plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- q. Upper floor bedroom ensuite sink is ill-fitted, with gaps around sink and counter. This is in contravention of Section 2(1),(2) of the Nuisance and General Sanitation Regulation and Section 1(c) of the Minimum Housing and Health Standards which states "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- r. Upper floor bedroom ensuite window has insufficient insulation. This is in contravention of Section 2(b)(ii) of the Minimum Housing and Health Standards which stated housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.
- s. Upper floor bedroom ensuite window frame shows signs of mould contamination. This is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation, Section 5(2) of the Housing Regulation, and Section 1(c) of the Minimal Housing and Health Standards which states all mouldy material must be removed and area properly remediated.

- t. Upper floor bedroom ensuite bathroom counter and cupboards in disrepair. This is in contravention of Section 2(1),(2) of the Nuisance and General Sanitation Regulation and Section 1(c) of the Minimum Housing and Health Standards which states "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- u. Upper floor bedroom ensuite shower stall has gap around shower head, and around shower taps. This is in contravention of Section 6(c) of the Minimum Housing and Health Standards which states all plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- v. Single panes windows in SE upper floor bedroom. This is in contravention of Section 2(b)(ii) of the Minimum Housing and Health Standards which stated housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.
- w. Damage to wall around SE upper floor bedroom window. This is in contravention of Section 5 (b) 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.
- x. Unfinished walls and closet in SE upper floor bedroom. This is in contravention of Section 5 (b) 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.
- y. Water stains on ceiling in South upper floor bedroom. This is in contravention of Section 5 (b) 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.
- z. Exposed electric wires in hallway ceiling by bedrooms on upper floor. This is in contravention of Section 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.
- aa. Upper floor living room window is broken. This is in contravention of Section 2(b)(i) of the Minimum Housing and Health Standards which states all windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof.

- bb. Upper floor patio door by kitchen does not lock. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards which exterior windows and doors shall be capable of being secured.
- cc. Upper floor rear balcony accessed thru upper floor patio door has no railings or guards. This is in contravention of Section 3(c) of the Minimum Housing and Health Standards which states 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.
- dd. Heat vent covers are missing throughout upper floor living area. This is in contravention of Section 5 (b) 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.
- ee. Lack of outside garbage containers for waste storage. This is in contravention of section 15 of the Minimum Housing and Health Standards which states every housing premises shall have an adequate number of containers suitable for the storage of garbage and refuse awaiting final disposal.
- ff. Light switch cover missing or broken above stairs, and on east wall of kitchen on upper level. This is in contravention of Section 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 **Closed for Tenant Accommodation Purposes**.

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

1. That the occupants vacate the above noted premises on or before March 7, 2015 at 5pm.
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Cover and finish exterior trim around east facing upper floor window
 - b. Replace insulation and soffit covers from front of house
 - c. Repair front door handle so it locks
 - d. Install interior trim around front door
 - e. Close and insulate hole in wall by front door where mailbox use to be
 - f. Repair main floor toilet so it flushes

- g. Remove clutter and building materials from main floor living area
- h. Install hand rail on stairs to second floor living area
- i. Install trim on stairs to second floor living area
- j. Remove mouse dropping from kitchen and implement pest control
- k. Repair or replace the kitchen counter
- l. Apply a silicon seal between kitchen counter and wall
- m. Repair laminate flooring so it is seamless
- n. Install baseboards throughout premises, and in all rooms on second floor
- o. Install insect screen on upper floor Master Bedroom window
- p. Install seals around base of upper floor bedroom ensuite shower stall
- q. Repair upper floor bedroom ensuite sink so there are no gaps around sink
- r. Repair upper floor bedroom ensuite window so it has sufficient insulation
- s. Remove and repair mouldy material around upper floor bedroom ensuite window
- t. Repair or replace upper floor bedroom ensuite bathroom counter and cupboards
- u. Repair upper floor bedroom ensuite shower head and taps so no gaps are visible
- v. Install window panes in SE upper floor bedroom or install double paned windows
- w. Repair damaged wall around SE upper floor bedroom window
- x. Finish walls and closet in SE upper floor bedroom
- y. Investigate source of water infiltration and repair: Remove and replace water damaged ceiling in South upper floor bedroom
- z. Cover exposed electric wires in hallway ceiling by bedrooms on upper floor
- aa. Replace upper floor living room window
- bb. Install a locking mechanism on upper floor patio door
- cc. Install guards and railings on upper floor rear balcony
- dd. Cover all heat vent openings in floors with vent covers
- ee. Supply an adequate number of outside waste containers
- ff. Install switch covers on light switches

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, February 27, 2015

_____ (Original Signed) _____

Claire Webb, B.Sc., CPHI(C)
Executive Officer
Environmental Health Officer
Alberta Health Services

Copy: Maria Boonstra

| | |
|---|---|
| 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

HSBC Building
Suite 700, 10055 – 106 Street
Edmonton, Alberta Canada T5J 2Y2
www.albertahealthservices.ca/eph.asp