

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

To: Ravi Narayan
Savitri Narayan

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

RE: 11931 – 55 Street
Edmonton, Alberta
Lot 23, Block 53, Plan 4636AB

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 smoke alarm was not operational and therefore no early warning system was available in the case of a fire.
- b. The front exterior deck landing had soft spots under the carpeting and did not appear to be structurally sound.
- c. There was exposed wood around the front door trim, and the trim around the north window which was not finished properly to prevent wood rot.
- d. There were areas on the exterior of the house where siding was missing and/or had holes cut in it which does not provide adequate exterior cladding and weatherproofing.
- e. There was light visible around the edges the front and back doors which does not allow for proper weatherproofing.
- f. There were mouse droppings noted in the kitchen area which may be a source of contamination and cause spread of disease.
- g. A sample of bedbugs was provided in a container which may indicate a bed bug infestation.
- h. The front exterior light was not properly secured to the house which may cause an electrical hazard.
- i. The downspout on the south side of house was attached to the eavestrough with duct tape and did not properly extend to drain water away from the house which can lead to water accumulation and possible water infiltration into the foundation of the house.
- j. The eavestrough on the north side of the house was old and had a hole in the trough which can lead to water accumulation and possible infiltration into the foundation of the house.
- k. The edge of the kitchen counter across from the sink was in disrepair and could not be properly cleaned allowing for the accumulation of dirt and harborage of bacteria.

- l. The wall around the kitchen window was not properly finished and therefore not able to be properly cleaned allowing for the accumulation of dirt and debris.
- m. The wall around the bedroom window was not properly finished and therefore not able to be properly cleaned allowing for the accumulation of dirt and debris.
- n. The ceiling panel in the north east bedroom was not properly finished and therefore not able to be properly cleaned allowing for the accumulation of dirt and debris.
- o. The handrail to the basement did not extend the full length of the stairwell which does not provide an adequate grip for travelling up and down the stairwell.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Regulations there under exist in and about the above noted premises, namely:

- a. Housing Regulation 173/99 s.4
The smoke alarm was not operational which is a 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.
- b. Housing Regulation 173/99 s.4
The front exterior deck landing had soft spots under the carpeting and did not appear to be structurally sound which is a contravention of section 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. Housing Regulation 173/99 s.4
There was exposed wood around the front door trim, and the trim around the north window which is a contravention of section 2(b) of the Minimum Housing and Health Standards which states that (i) All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- d. Housing Regulation 173/99 s.4
There were areas on the exterior of the house where siding was missing and/or had holes cut in it which is a 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.
- e. Housing Regulation 173/99 s.4
There was light visible around the edges the front and back doors which is a contravention of section 2(b) of the Minimum Housing and Health Standards which states that (i) All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- f. Housing Regulation 173/99 s.4
There were mouse droppings noted in the kitchen area which is a contravention of section 16(a) of the Minimum Housing and Health Standards which states that (a) The owner shall ensure that the housing premises are free of insect and rodent infestations; and (i) all situations requiring the application of pesticides shall be conducted in accordance with the Environmental Protection and Enhancement Act and regulation; and (ii) whenever a pesticide is applied in a dwelling, the occupant shall be notified in accordance with the latest edition of the Environmental Code of

Practice for Pesticides published by Alberta Environmental Protection. (iii) it is the occupants responsibility to allow access in accordance to the Residential Tenancy Act to do whatever is necessary to ensure the dwelling unit is ready for pesticide application.

- g. The front exterior light was not properly secured to the house which is a contravention of section 11 of the Minimum Housing and Health Standards which states that outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
- h. Nuisance and General Sanitation Regulation 243/2003 s.2
The downspout on the south side of house was attached to the eavestrough with duct tape and did not properly extend to drain water away from the house which is a contravention of Part 1, section 2(1) which states that no person shall create, commit or maintain a nuisance, and 2(2)(a) which states that without limiting the generality of subsection (1), a person who creates, commits or maintains (a) any premises in a condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.
- i. Nuisance and General Sanitation Regulation 243/2003 s.2
The eavestroughing on the north side of the house was old and had a hole in the trough which is a contravention of Part 1, section 2(1) which states that no person shall create, commit or maintain a nuisance, and 2(2)(a) which states that without limiting the generality of subsection (1), a person who creates, commits or maintains (a) any premises in a condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.
- j. Housing Regulation 173/99 s.4
The edge of the kitchen counter across from the sink was in disrepair which is contravention of section 14 (a)(iii) of the Minimum Housing and Health Standards which states that (a) Every housing premises shall be provided with a food preparation area, which includes: (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned
- k. Housing Regulation 173/99 s.4
The wall around the kitchen window was not properly finished which is a contravention of section 5(b) 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. (b) 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 harborage to dirt, grease, vermin and bacteria and that are easily kept clean.
- l. Housing Regulation 173/99 s.4
The wall around the bedroom window was not properly finished which is a contravention of section 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.

m. Housing Regulation 173/99 s.4

The ceiling panel in the north east bedroom was not properly finished which is a contravention of section 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.

n. Housing Regulation 173/99 s.4

The handrail to the basement did not extend the full length of the stairwell which is a contravention of section 3(c) of the Minimum Housing and Health Standards which states that interior or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.

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 September 16, 2012.
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install an operational smoke alarm near the bedrooms.
 - b. Repair or replace the front deck to ensure there are no rotten structural elements. Ensure that the deck meets the current Alberta Building Code.
 - c. Ensure all windows and exterior doors are maintained in good repair, free of cracks and weatherproof.
 - d. Ensure that all exposed wood on the exterior of the premise is finished and all exterior cladding is in good repair.
 - e. Provide mouse traps and continually monitor the premise for mouse activity ensuring the premise is free from rodent infestations.
 - f. Hire a licensed pest control company to inspect the premise for bed bugs. Follow all recommendations and treat as required by pest control operator.
 - g. Ensure all electrical outlets, switches and fixtures are properly installed and maintained in a good and safe working condition.
 - h. Repair or replace the eavestroughing on the house and ensure that the downspouts extend down and are situated in such a manner that excess water drains away from the house.
 - i. Repair or replace the kitchen counter so that it is cleanable, smooth and will not collect dirt or harbor bacteria.
 - j. 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.

- k. Repair or replace the handrail to the basement and ensure that it meets the current Alberta Building Code.
 - l. Ensure that the premise remains in compliance with the Minimum Housing and Health Standards.
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, August 29, 2012

_____(Original Signed)_____
Lena Jobb, 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 24th Floor, Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta, T5J 1S6. Telephone (780) 427-2813.

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.

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Copies of standards are available by contacting the Health Protection Branch of Alberta Health & Wellness at (780) 427-4518, or by visiting: www.health.alberta.ca/about/health-legislation.html