

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

To: 2329402 Alberta Inc.
"the owner"

Roman Bouz
"the owner"

Emanuel Ferreira
"the owner"

Andrew Buryas
"the owner"

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

RE: The housing premises located in Edmonton, Alberta and municipally described as:
11944 68 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. There was no smoke alarm installed in the premises.
- b. There was sewage water accumulation in the basement.
- c. The electrical outlet and switch covers were missing in the hallway.
- d. The SW bedroom window opening was measured 17.5 inches X 28 inches, which was too small for egress purposes.
- e. There was no handrail installed on the stairs leading to the basement.
- f. There was evidence of mouse infestation in the premises, accumulation of mouse droppings were observed in the kitchen closet.
- g. The basement was used as a bedroom where the window opening was too small for egress purposes.

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 no smoke alarm installed in the premises. This is in contravention of section IV 12 of the Minimum Housing and Health Standards which states that: Smoke alarm

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 alarm shall be operational and in good repairs at all times.

- b. There was sewage water accumulated in the basement. This is in contravention of section IV 6 (a) of the Minimum Housing and Health Standards which states that: Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. (a) The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
- c. The electrical outlet and switch covers were missing in the hallway. This is in 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.
- d. The SW bedroom window opening was measured 17.5 inches X 28 inches, which was too small for egress purposes. This is in contravention of Section 3(b)(ii) of the Minimum Housing and Health standards which states that 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").
- e. There was no handrail installed on the stairs leading to the basement. This is in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards which states that inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, 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.
- f. There was evidence of mouse infestation in the premises, accumulation of mouse droppings were observed in the kitchen closet. This is in contravention of Section 16 of the Minimum Housing and Health Standards, which states that the owner shall ensure that the housing premises are free of insect and rodent infestations. (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 occupant's 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. There was drywall disrepair in the hallway and living room. This is in 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.

- h. The basement was used as a bedroom where the window opening was too small for egress purposes. 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.

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 June 19, 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. Install a smoke alarm in each sleeping area and the remainder of the suite, and ensure the smoke alarm is in good working condition.
 - b. Repair the cause of the sewage pooling in the basement. Clean and disinfect all surfaces that contacted sewage, remove and replace all damaged building materials. Provide this office a copy of documentation for all repairs and cleaning/disinfection.
 - c. Install all missing electrical outlet and switch covers in the premises. Ensure all outlets, switches and fixtures are maintained in a good and safe working condition.
 - d. Modify or replace the SW bedroom window opening to meet the requirements of egress purposes.
 - e. Install a handrail on the stairs leading to the basement.
 - f. Hire a licensed pest control operator to inspect and treat the mouse infestation in and around the premises.
 - g. Repair all damaged drywalls. 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.
 - h. Stop using the room in the basement for sleeping purposes. Alternatively, modify or replace the window so that it meets the egress requirements and provide an unobstructed opening with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
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, June 3, 2025.

Confirmation of an oral order issued to Andrew Buryas, on May 29, 2025.

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 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 King'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 at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>