

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

To: Hercules Properties GP INC. Trifonas Germanis Eli Erdstein
 "the Owner" "the Owner" "the Owner"

 Jiggs Peterson Negapatan Rogers Otikor
 "the Owner" "the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
 Common Areas and Suites, 12035 82 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. The plumbing and drainage system was not in proper operating condition as the water had been shut off to the building.
- b. The occupied suites were not supplied with a potable water supply of sufficient volume, pressure, and temperature to serve the needs of the inhabitants.
- c. The north exterior door of the building was not capable of being adequately secured.
- d. The sanitation within the common areas were poor. There were personal belongings, bedding, garbage, drug paraphernalia, and various spills noted in the common stairwells and hallways.
- e. There was carpeting coming away from stair treads in the common stairwells, which create tripping hazards.
- f. The copper pipes from the baseboard heaters were removed from Suite 101.

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. The plumbing and drainage system was not in proper operating condition as the water had been shut off to the building. This is in contravention of Section 6 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. (b) Adequate water volume

and pressure shall be provided to ensure the proper operation and flushing of all fixtures. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside”.

- b. The occupied suites were not supplied with a potable water supply of sufficient volume, pressure, and temperature to serve the needs of the inhabitants. This is in contravention of Section 9 of the Minimum Housing and Health Standards which states that: “Every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants. (a) All hot running water shall be maintained at a temperature of not less than 46 degrees C (1140F), and not more than 60 degrees C (1400F) measured at the plumbing fixture”.
- c. The north exterior door of the building was not capable of being adequately secured. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards which states that: “Exterior windows and doors shall be capable of being secured”.
- d. The sanitation within the common areas were poor. There were personal belongings, bedding, garbage, drug paraphernalia, and various spills noted in the common stairwells and hallways. 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”.
- e. There was carpeting coming away from stair treads in the common stairwells, which create tripping hazards. This is in contravention of Section 5(2) of the 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”.
- f. The copper pipes from the baseboard heaters were removed from Suite 101. This is in contravention of Section 8(a) of the Minimum Housing and Health Standards which states that: “All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of ; (i) at least 22°C(71°F), or (i) maintained at a temperature of at least 22°C(71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant”.
- g. Finishes were in disrepair in various areas of the building including: walls throughout the common areas were damaged; there was water damaged along the living room ceiling in Suite 103; there was a hole in the washroom wall in Suite 104; the ceiling and walls were fire damaged in the back bedroom in Suite 202; a bathroom ceiling was water damaged in Suite 204; there was water damage present along the ceiling in Suite 205; various walls were damaged, and the bathroom and living room ceilings were water damaged in Suite 206; the bathroom and living room ceilings were water damaged in Suite 302; there were cracks along the living room ceiling in Suite 303; there were gaps in the hallway flooring in Suite 304; floors were in disrepair in places in Suite 305; and the dining room ceiling was water damaged in Suite 306. 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. (a) 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. (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 harbourage to dirt, grease, vermin and bacteria and that are easily kept clean”.

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 February 28, 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. Repair the plumbing and draining system so that it is maintained in proper operating condition. Adequate water and pressure are to be provided to ensure the proper operation and flushing of all fixtures.
 - b. Ensure that occupied suites in the building are supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.
 - c. Repair or replace the north exterior door so that it is capable to being secured. All exterior windows and doors are to be capable of being secured.
 - d. Adequately clean the common areas, removing any personal belongings, bedding, garbage, drug paraphernalia, and spills. Common areas are to be maintained in a clean and sanitary condition.
 - e. Remove or properly attach any loose carpeting along the common stairs so that it is not a tripping hazard.
 - f. Repair the baseboard heating system in Suite 101 so that the heating system in good working condition. Ensure that the heating system within the building is properly installed and in good working condition and is capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of; (i) at least 22°C(71°F).
 - g. Repair or replace all damaged finishes so that they are in good condition, free of holes or loose/lifting coverings, and in a condition that renders them easy to clean.
 - h. Ensure that the housing premises meets the Housing Regulation (AR 173/99) and 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, February 16, 2025

Confirmation of a verbal order issued to Eli Erdstein on February 15, 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>

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