

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

**To:** Yuk Sin Lily Tam Chu

**“the Owner”**

**And**

Vivian Yin Fun Wong

**“the Owner”**

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
Unit 10, 12130 82 Street NW  
Edmonton, AB, T5B 2W7

**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 smoke alarm was not operational.
- b. The kitchen sink was leaking.
- c. The mechanical ventilation located in the bathroom had inadequate suction.
- d. The living room window screen was in disrepair.
- e. The exterior windows throughout the unit were not capable of being locked and secured.
- f. There was evidence of water damage and mould growth noted on all the window sills.
- g. There was evidence of water damage and mould growth noted on the east living room wall located under the window.
- h. There was evidence of water damage and mould growth noted on the north living room wall.
- i. The paint on the walls throughout the unit was lifting and starting to detach..
- j. There was evidence of water damage noted on the living room ceiling.
- k. There was evidence of water damage noted on the base of the cabinet under the kitchen sink.
- l. There was evidence of water damage and mould growth noted on the drywall surrounding the tub/shower.
- m. There was evidence of water damage and mould growth noted on the drywall located behind the bathroom toilet.

- n. There was evidence of water damage and mould growth noted on the edge of the bathroom flooring surrounding the tub/shower.
- o. There was evidence of water damage noted on the base of the cabinet under the bathroom hand sink.
- p. The bathroom flooring was lifting around the edges and has started to detach from floor boards.
- q. The caulking around the tub/shower has started to lift and detach.
- r. The bathroom toilet was not operational.
- s. The unit was infested with bedbugs.

**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 smoke alarm was not operational. This is in contravention of section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.
- b. The kitchen sink was leaking. This is in contravention of section IV(6)(c) of the Minimum Housing and Health Standards which states that: All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- c. The mechanical ventilation located in the bathroom had inadequate suction. This is in contravention of section IV(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.
- d. The living room window screen was in disrepair. This is in contravention of section III(2)(b)(iii) of the Minimum Housing and Health Standards which states that: 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.
- e. The exterior windows throughout the unit were not capable of being locked and secured. This is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
- f. There was evidence of water damage and mould growth noted on all the window sills. This is in contravention of section III(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.
- g. There was evidence of water damage and mould growth noted on the east living room wall located under the window. This is in contravention of section III(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.
- h. There was evidence of water damage and mould growth noted on the north living room wall. This is in contravention of section III(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.
- i. The paint on the walls throughout the units was lifting and starting This is in contravention of section III(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.

- j. There was evidence of water damage noted on the living room ceiling. This is in contravention of section III(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.
- k. There was evidence of water damage noted on the base of the cabinet under the kitchen sink. This is in contravention of section III(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.
- l. There was evidence of water damage and mould growth noted on the drywall surrounding the tub/shower. This is in contravention of section III(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.
- m. There was evidence of water damage and mould growth noted on the drywall located behind the bathroom toilet. This is in contravention of section III(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.
- n. There was evidence of water damage and mould growth noted on the edge of the bathroom flooring surrounding the tub/shower. This is in contravention of section III(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.
- o. There was evidence of water damage noted on the base of the cabinet under the bathroom hand sink. This is in contravention of section III(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.
- p. The bathroom flooring was lifting around the edges and has started to detach from floor boards. This is in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: 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.
- q. This is in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: 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.
- r. The caulking around the tub/shower has started to lift and detach. This is in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: 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.
- s. The bathroom toilet was not operational. This is in contravention of section IV(6)(c) of the Minimum Housing and Health Standards which states that: All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- t. The unit was infested with bedbugs. This is in contravention of section V(16)(a) 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.

**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 15, 2016**.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Retain the services of an **Environmental Health or Indoor Air Quality Consultant** to:
    - (i) **Due to the age of this property. The presence of asbestos within building materials is likely thus all precautions must be taken. Ensure proper removal/handling of impacted materials following current codes and standards. Provide Environmental Public Health with a written asbestos management/abatement plan which will include documentation from Alberta Occupational Health and Safety indicating receipt of asbestos project notification. Upon completion of asbestos abatement by a qualified contractor, provide post-abatement asbestos air clearance sampling results prior to proceeding with other repairs.**
    - (ii) Prepare for review by Alberta Health Services a detailed assessment report and scope of work plan, including a hazardous materials audit and management plan.
    - (iii) Assess the conditions within the above noted premises including the carrying out of environmental air quality analyses of the interior spaces (including the attic, wall and floor cavities, and crawlspaces) for water and mould damage; and contact **an Executive Officer of Alberta Health Services once the walls have been open, dried and clean for approval to proceed, prior to repairing and closing up the impacted area.**

Testing and reporting shall follow the requirements outlined in Alberta Health Services' Fungal Air Testing Protocol and must include extensive intrusive and destructive testing and shall include inspection and assessment of hidden cavities and surfaces such as, but not limited to, cutting access holes (or using boroscopes) into walls and ceilings, lifting carpets or vinyl sheet flooring, removing wallpaper for investigation purposes. The consultant's report shall, at a minimum, describe the building construction, finishes, materials and components and the results of their investigations along with recommendations for restoration, repair, and the remediation as required for reoccupation of the building. ***The Consultant should have current, active membership in a related professional organization or certifying body and shall be first approved in writing by Alberta Health Services.***

- **Due to the potential for moisture issues, the lower four feet of all drywall on all exterior walls throughout all levels shall be removed unless more extensive removal is required elsewhere in this Order. The insulation, vapour barrier and external wall sheathing shall be thoroughly examined for damages, moisture, and suspect mould growth. Testing locations must**

**also include upper edges of walls and areas below windows. All baseboards and all window trim throughout the premises must be removed to allow observation of the area behind**

- b. Ensure all exterior windows intended for ventilation are equipped with screens that are in good repair.
  - c. Ensure all exterior windows and doors are capable of being secured.
  - d. Ensure that the mechanical ventilation is in good repair and has adequate suction.
  - e. Ensure all walls, ceiling and floors covering are maintained in good repair, free of cracks, holes, loose or lifting covering and in a condition that renders it easy to clean.
  - f. Ensure that the smoke alarm is operational and in good repair at all times.
  - g. Ensure that all plumbing fixtures (i.e kitchen sink and bathroom toilet) are serviceable, free from leaks, trapped and vented to the outside.
  - h. Ensure that the housing premises are free of insect and rodent infestations.
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 3, 2016.

\_\_\_\_\_(Original Signed)\_\_\_\_\_  
Alaa (Al) Farhat, 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 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, Telus Plaza North Tower  
10025 Jasper Avenue NW

Edmonton, Alberta, T5J 1S6  
Phone: 780-427-2813  
Fax: 780-422-0914  
Email: [HealthAppealBoard@gov.ab.ca](mailto:HealthAppealBoard@gov.ab.ca)  
Website: <http://www.health.alberta.ca/about/PHAB.html>

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 Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or [www.qp.gov.ab.ca](http://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: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)

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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)