

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

To: Pietro and Alice Chiera.
"the owner"

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

RE: The housing premises located in Edmonton, Alberta and municipally described as:
12145 – 101 Street NW, Edmonton AB

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 front bedroom window opening was measured at 13 inches X 20 inches, which was too small for egress purposes.
- b. There was no guardrails installed on the stairs leading to basement.
- c. The guardrails on back entrance were in disrepair, and the space between the spindles was wider than 4 inches.
- d. The paint was peeling and there were cracks observed on the ceilings in the mainfloor living room and bedrooms.
- e. There were water stains and cracks observed on bathroom ceiling and drywalls.
- f. The carpet was old and dusty throughout the premises.
- g. The smoke alarm had been removed.
- h. There was a severe cockroach infestation in the mainfloor kitchen area. Live cockroaches, numerous dead cockroaches and feces accumulation was observed.

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. Violation [a] was in contravention of section III (3) (b) of the Minimum Housing and Health Standards which states that: for buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge. (i) Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15"). (ii) If the window referred above is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge.

- b. Violations [b and c] were in contravention of section III (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, 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.
- c. Violations [d, e and f] were 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. (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.
- d. Violation [g] was in the contravention of section IV (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. (a) smoke alarms shall be operational and in good repair at all times.
- e. Violation [h] was in contravention of section V (16) 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.

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 Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Modify the front bedroom window and ensure all bedroom windows provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15"). All egress windows must open directly to the outside and have unobstructed egress paths away from the premises. Ensure all egress windows are maintained in good repair and are easy to open and are capable of staying in the open position.
 - b. Install a guardrail on the stairs leading to the basement, and ensure all stairs, including all treads and risers, supporting structural members, handrails, guards and balconies, are maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design, at all times.

- c. 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.
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.
Repair the bathtub faucet ensure it is free of leaks.
 - d. Install a smoke alarm in sleeping area and ensure it is in good working condition at all times.
 - e. Call in an exterminator to assess vermin infestation including cockroach, bedbug and mouse and treat accordingly. The building owner(s), property managers, and occupants/tenants must work together to discourage any pest infestation and/or nesting by employing a number of control methods and by performing continual building maintenance in areas of concern. All parties are advised to work with and adhere to any prescribed actions from the exterminator (pest control company) contracted to service the building, and to consider a combination of physical control measures consistent with an Integrated Pest Management program (IPM).
2. 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 13, 2018.

_____ (Original Signed) _____

Dengzhong Wang, 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: 780-222-5186
Fax: 780-422-0914
Email: 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.

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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