

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

**To:** Phoung Thi Nguyen  
"the Owner"

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
12407 93 Street NW - Basement

**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. Visible mold like growth on the walls of the basement bathroom
- b. No smoke alarms were installed in the basement.
- c. The baseboards in the basement bathroom were missing.
- d. The high moisture detected on the walls of the basement bathroom.
- e. Walls of SE bedroom were not finished.
- f. The bathroom window was not openable, and no mechanical ventilation was available.
- g. The SE bedroom window openable area was measured and found to be 27 H X 14" W
- h. The SW bedroom window openable area was measured and found to be 9 H X 34" W
- i. The windows screens were missing from openable windows.
- j. Water accumulation on the floor around the furnace was noted indicating water leakage or infiltration.
- k. The light fixture for the stairs to the basement was not functional.
- l. The exterior door to the basement was not weatherproofed. Weather stripping was missing.
- m. The wall behind the furnace was water damaged.

**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 visible mold like growth on the walls of the basement bathroom. This is in contravention of section 5(2) of the Alberta Housing Regulation which states that no person shall cause or permit any condition in the 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.
- b. No smoke alarms were installed in the basement. This is in 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.

- c. The baseboards in the basement bathroom were missing and walls of SE bedroom were not finished. These violations 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.
- d. High moisture was detected on the walls of the basement bathroom and on the wall behind the furnace. These violations are 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.
- e. The bathroom window was not openable, and no mechanical ventilation was available. This is in contravention of section 7(c) of the Minimum Housing and Health Standards that states: "All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation".
- f. The window openable area in SE bedroom and SW bedroom were measured and found to be 27 H X 14" W and 9 H X 34" W respectively. This is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15").
- g. The windows screens were missing from openable windows. 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.
- h. Water accumulation on the floor around the furnace was noted indicating water leakage or infiltration. 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.
- i. The light fixture for the stairs to the basement was not functional. This is in contravention of section IV(13) of the Minimum Housing and Health Standards which states that: Every public hallway and stairway in a housing premises with multiple dwellings shall be adequately lighted by natural or artificial light at all times, providing in all parts thereof at least 50 lux of light at each tread or floor level.
- j. The exterior door to the basement was not weatherproofed. Weather stripping was missing. This is in contravention of section III(2)(b)(i) of the Minimum Housing and Health Standards which states that: All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof.

**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 30, 2023.

2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Hire a professional for mold remediation services and remove mold like substance from basement bathroom walls safely.
  - b. Install functional smoke alarms between the sleeping areas and the remainder of the suite.
  - c. Install the baseboards in the bathroom and finish the walls in the SE bedroom.
  - d. Remove the water damaged drywalls from the basement bathroom and furnace area.
  - e. Modify the existing window of the bathroom to be openable or install mechanical ventilation in the basement bathroom.
  - f. Replace or modify the bedroom window so that it meets emergency egress and weatherproof requirements.
  - g. Install window screens on all openable windows throughout the basement.
  - h. Identify and repair the source of water infiltration in the furnace area.
  - i. Fix the light fixture for the stairway leading to the basement.
  - j. Install weather stripping on the back exterior door to make it weatherproof.
3. Asbestos testing must be conducted prior to removing building materials. In premises constructed in 1990 or prior, the presence of asbestos containing materials (ACMs) within building materials is likely, In the event asbestos is present provide Environmental Public Health with a written asbestos management/abatement plan in accordance with the Alberta Occupational Health and Safety Code for Asbestos abatement manual.
4. 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, September 14, 2023.

Confirmation of a verbal order issued to Phoung Thi Nguyen on September 14, 2023.

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](mailto: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>.

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**Copies of standards are available by visiting:** <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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