

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

**To:** Shun Tsung Luk  
New Westminster, BC

**And To:** All Tenants of the following Housing premises:

**RE:** Plan 1359HW, Block 14, Lot 2  
Municipally known as: Basement North Suite, 12408-94 Street NW, Edmonton, AB

**WHEREAS** I, an **Executive Officer** of **Alberta Health Services**, have inspected the above 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 the prevention or suppression of disease, namely:

- a. **Plumbing system deficiencies:**
  - the shower head constantly leaks hot water in the suite bathroom, steam and water condensation was noticed in the area.
- b. **Water damage and mould growth:**
  - water damage and mould growth due to shower head leak was observed around the shower stall area.
- c. **Electrical deficiencies:**
  - electrical outlet and light were not working in the bathroom.

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act and the Regulations there under exist in and about the above noted premises, namely:

- a. ***Housing Regulation 173/99 s.4***

Plumbing system deficiencies is in contravention of section 6 (c) of Minimum Housing and Health Standards which states: all plumbing fixtures shall be serviceable, free of leaks, trapped and vented to the outside.
- b. ***Housing Regulation 173/99 s.4***

Water damage is in contravention of section 1 ( b,c,d) of Minimum Housing and Health Standards which states: (b) maintain premises in good repair and free from water infiltration and accumulation; (c) building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced (d) repairs or modification or any structural

element of the housing premises may require the design and/or supervision of a professional structural engineer or a Safety Codes Officer ( Building Discipline).

***Housing Regulation 173/99 s.4:***

Water damages is also in contravention of section 5 of Minimum Housing and Health Standards which states: 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.

**c. *Nuisance and General Sanitation Regulation 243/2003 s.2(1)***

Mould growth is in contravention of section 2(1) of Nuisance and General Sanitation Regulation which states that: no person shall create, commit or maintain a nuisance.

***Housing Regulation 173/99 s.4***

Mould growth is also in contravention of section 5(2) of Housing Regulation which states: no person shall cause or permit any condition in housing premises that is or may become injurious or dangerous or the public health, including any condition that may hinder in any way the prevention or suppression of disease.

**d. *Housing Regulation 173/99 s.4***

Electrical deficiencies in the bathroom is in contravention of section 11 of Housing Regulation which states: outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.

**AND WHEREAS**, by virtue of the foregoing, the above noted premises are hereby declared to be **Closed for Tenant Accommodation**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the tenants vacate the above noted premises on or before **August 12, 2013**.
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 shower head deficiencies.
  - b. Assess the extent of water damage and mould growth, this includes breaking out walls if necessary that have been soaked or the have absorbed water, emptying the cavity of any insulation, debris or dirt, and drying all the interior materials thoroughly.
  - c. Remove and repair all the materials that have been damaged or show evidence of rot or other deterioration. This includes, but is not limited to, any of the materials in the premises that were affected by water infiltration
  - d. Ensure that all walls, ceilings, floors and floor coverings are in good repair. 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 were applicable with the bathtub or shower.
  - e. Ensure that all electrical outlets, switches and fixtures be properly installed and maintained in a good and safe working condition.

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
4. That the above repair work items 2 (a), (b), (c) and (d) should be completed by September 9, 2013, so as to not affect remaining occupants.

***Be Advised:***

***The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies; you are advised that further repairs may be required to ensure full compliance of the Housing Regulation, or to prevent a Public Health Nuisance, prior to permitting reoccupancy.***

***Any building upgrades or modifications may be subject to municipality planning and development department reviews and the procuring of proper permits.***

DATED at **Edmonton, Alberta, August 8, 2013.**

\_\_\_\_\_(original signed)\_\_\_\_\_  
Dengzhong Wang, CPHI(C)  
Executive Officer & Environmental Health Officer  
Environmental Public Health  
Alberta Health Services  
Suite 700 HSBC Building, 10055-106 Street  
Edmonton, AB T5J 2Y2

**tel: (780) 735-1800 fax: (780) 735-1801**

**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 within ten (10) days after receiving the order to the Public Health Appeal Board located at 24<sup>th</sup> Floor, Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta, T5J 1S6. Telephone (780) 427-2813.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at (780) 342-0122, or the Public Health Appeal Board (780) 427-2813.

You are advised that all orders remain in effect pending such an appeal

**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 & Wellness at (780) 427-4518, or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)*