

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

**To:** Gina Valdez Bancolita  
"the Owner"

Epifanio Valdez  
"the Owner"

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
Basement, 12426 111 Avenue 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. There was no smoke alarm installed in the suite.
- b. There was no adequate egress window from the bedroom: the window opening did not meet egress size requirements; the window opened into an enclosed porch area.
- c. The electrical system was not in good repair in the basement suite: there were hanging wires and open conduit boxes throughout the suite.
- d. The bathroom ventilation fan vented back into the bathroom.
- e. The bathtub/shower surround was constructed of painted wood and was partially covered with a shower curtain. It was not smooth, non-absorbent to moisture, or easy to clean, and there were not watertight joints between the surround and the bathtub.
- f. The bathroom vanity had large chips on its surface, exposing the porous material underneath.
- g. Wall, ceiling and floor finishes were in disrepair throughout the suite including: the ceilings were largely unfinished, and the kitchen flooring was not continuous and there were portions of exposed concrete.
- h. The bathroom sink was not accessible.
- i. The toilet was crooked and was not properly installed.
- j. The kitchen counter was not level.
- k. The headroom clearance was less than 6 feet 5 inches throughout the basement unit, and less than 6 feet in some areas.

**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. Condition [f] 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.
- b. Condition [b] is in contravention of Section III(3)(b)(i, ii) 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. (ii) Windows referred to in section 3(b)(i) 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”).
- c. Condition [g] 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. (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.
- d. Conditions [d, e, h, i] are in contravention of Section IV(7) of the Minimum Housing and Health Standards which states that: Except where exempt by regulation, every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower. (a) The washbasins and bathtub or shower shall be supplied with potable hot and cold running water. (b) The wash basin should be in the same room as the flush toilet or in close proximity to the door leading directly into the room containing the flush toilet. (c) All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
- e. Condition [c] is in contravention of Section III(11) of the Minimum Housing and Health Standards which states that: Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
- f. Condition [a] 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. (a) Smoke alarms shall be operational and in good repair at all times.
- g. Condition [j] is in contravention of Section IV(14)(a) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: (i) a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation; and (ii) cupboards or other facilities suitable for the storage of food; and (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; and (iv) a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. (400F).
- h. Condition [k] is in contravention of Section 5(2) of the Housing Regulation which states: 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.

**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 July 28, 2023.
- 2) That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a) Ensure all bedrooms have an adequate means of emergency egress.
  - b) Ensure that the ceiling heights are no less than 6 feet in all living spaces.
  - c) Repair/replace any of the damaged walls and ceiling material. Ensure 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) Ensure that a smoke alarm is properly mounted between the hallway and the remainder of the suite. Smoke alarms are to be operational and in good repair at all times.
  - e) Hire a licensed electrical contractor to assess the electrical system in the basement and make any necessary corrections. *Provide related documentation the AHS Environmental Public Health.*
  - f) Repair the bathroom ventilation fan to that it properly vents to the outside.
  - g) Repair or replace the bathtub/shower surround so that it is smooth, non-absorbent to moisture, or easy to clean, and there were not watertight joints between the surround and the bathtub.
  - h) Repair the bathroom vanity so that it is in good repair.
  - i) Repair any wall, ceiling and floor finishes so that they are good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
  - j) Ensure that the bathroom sink is properly operational and in good repair.
  - k) Repair the bathroom toilet so that it is properly installed.
  - l) Repair or replace the kitchen counter so that it is level and in good repair.
- 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 vacant and secure from unauthorized entry.

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, July 10, 2023

Confirmation of a verbal order issued to Gina Valdez Bancolita on July 7, 2023

Executive Officer  
Alberta Health Services

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 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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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