

ORDER OF AN EXECUTIVE OFFICER CLOSED FOR TENANT ACCOMMODATION PURPOSES

To: Reed Harris
"the owner"

Tilt Property Group: Jared Hope
"Agent"

Tilt Property Group: Heather LePage
"Agent"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
12708 – 94 street Edmonton, Alberta

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. Due to water infiltration from the suite above, the north wall in the bathroom tested positive for moisture. This effected half the wall and a quarter of the ceiling.
- b. Due to water infiltration from the suite above, the north west bedroom wall tested positive for moisture. This effected the entire south wall and half of the ceiling. The west wall also tested positive for moisture. This effected a quarter of the wall.
- c. The design of the guard for the exterior basement stairs facilitated climbing and the space between the spindles were greater than 4 inches.
- d. The bathtub spout was not flush to the wall.

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. Due to water infiltration from the suite above, the north wall in the bathroom tested positive for moisture. This effected half the wall and a quarter of the ceiling which 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. Due to water infiltration from the suite above, the north west bedroom wall tested positive for moisture. This effected the entire south wall and half of the ceiling. The west wall also tested positive for moisture. This effected a quarter of the wall which 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.
- c. The design of the guard for the exterior basement stairs facilitated climbing and the space between the spindles were greater than 4 inches which is in contravention of section III(3)(c)

of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, hand 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.

- d. The bathtub spout was not flush to the wall which 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.

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 above-noted premises be vacated on or before **01 September 2018**.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. You must retain the services of an **Environmental Consultant or Industrial/Occupational Health Hygienist, that must be approved by Alberta Health Services and prior to the commencement of renovation or repairs**:
 - (i) As this housing was built prior to 1990, **the presence of asbestos within building materials is likely thus all precautions must be taken. The consultant *must* assess the conditions within the above noted premises including performing applicable sampling for asbestos containing materials.**
 - (ii) 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. Ensure proper removal/handling of impacted materials follow current codes and standards following the Alberta Asbestos Abatement Manual.**
 - (iii) Then the environmental consultant will assess the conditions within the above noted premises for all water damaged materials and mould for the entire room: to include the attic, wall and floor cavities, and crawlspaces. A full pre mould remediation inspection report is required. At a minimum the report must describe the building construction, finishes, materials and components and recommendations for restoration. All hazardous building materials are to be properly managed and disposed of in accordance with government standards and guidelines and industry codes of practice. Once the materials have been removed and a post mould remediation report is required this will include photographic evidence that all moldy material has been removed and environmental air quality sampling. **Testing and reporting shall follow the requirements outlined in Alberta Health Services' Fungal Air Testing Protocol**

- e. Replace or modify the guard for the exterior steps to ensure that the spindle spacing is less than four inches and the guard does not facilitate climbing.
 - f. Ensure the bathtub spout is flush to the wall to prevent water infiltration into the wall.
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, 13 August 2018

Confirmation of a verbal order issued to Suite Occupant on 10 August 2018.

(Original Signed)
Ingrid Bohac, 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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Order of an Executive Officer – Closed for Tenant Accommodation

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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

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www.albertahealthservices.ca/eph.asp