

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

**To:** Nigel Chivers Peter Lam  
"the owner" "the agent"

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

**RE:** The housing premises located in Edmonton, Alberta and municipally described as:  
**12919 – 102 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 entire floor of the suite had been flooded due to a sump pump failure one month ago.
- b. Water damage and mould growth was observed throughout the premises including but not limited to the floor coverings and walls in the foyer, living room, kitchen, bathroom and two bedrooms.

**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] is in the contravention section III(1)(b) of the Minimum Housing and Health Standards which states that: basements, cellars or crawl spaces shall be structurally sound, and maintained in good repair and free from water infiltration and accumulation.
- b. Violation [b] 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. Violation [b] is also in the contravention of section III(5)(a) 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.

**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 May 10, 2017.

2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Retain the services of an Environmental Consultant or Industrial/Occupational Health Hygienist, approved by Alberta Health Services prior to the commencement of renovation or repairs:
    - (i) As this premises was built prior to 1990, the presence of asbestos within building materials is likely thus all precautions must be taken. Ensure proper removal/handling of impacted materials following current codes and standards. 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.
    - (iii) Once the above is completed have the environmental consultant assess the conditions within the above noted premises for all water damaged materials and mould. A full pre mould remediation inspection report is required and at a minimum the report must describe the building construction, finishes, materials and components and recommendations for restoration.
    - (iv) 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 which will include environmental air quality sampling and photographic evidence that all mouldy material has been removed. Testing and reporting shall follow the requirements outlined in Alberta Health Services' Fungal Air Testing Protocol.
  - b. Identify and remove the source of water causing water infiltration including. Repair the sump pump and take any other measures required to prevent further water infiltration.
  - c. Ensure all building materials that have been damaged or show evidence of rot or other deterioration are removed and replaced with material that are in good repair and easy to clean.
  - d. Repair or replace all the affected finishes. 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.
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, May 8, 2017.

\_\_\_\_\_ (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](mailto: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](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: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)