

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

To: Art Invest Inc. Dionne Mascarenhas Roman Bouz
"the Owner" "the Owner" "the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
12948 116 Street 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. The occupant was unable to use the kitchen and bathroom sinks, bathtub/shower, and toilet due to the defective plumbing. Wastewater from any drain in the house would back up in the bathroom from the base of the toilet. There was a leak in the water supply line to the toilet.
- b. Safety and electrical hazards were noted:
 - A potentially live wire connected to the power meter was not properly decommissioned.
 - Electrical components connected to the power meter appeared to have been haphazardly installed.
- c. Mouse droppings were noted by the front entrance and in the kitchen.
- d. The bedroom did not have proper emergency egresses to allow the occupant to escape in emergency situations: When the crank style window was in its fully opened position, one side of the window obstructed its opening, reducing the size of the opening to 14" W X 31.5" H = 3.0 sqft.
- e. A smoke alarm was missing outside the bedroom to provide timely warning to the occupant in case of fire.

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. The occupant was unable to use the kitchen and bathroom sinks, bathtub/shower, and toilet due to the defective plumbing:
- Wastewater from any drain in the house would back up in the bathroom from the base of the toilet.
 - There was a leak in the water supply line to the toilet.

These are in contravention of section 6(a) of the Minimum Housing and Health Standards which states: *“The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.”*

- b. Safety and electrical hazards were noted:
- A potentially live wire connected to the power meter was not properly decommissioned.
 - Electrical components connected to the power meter appeared to have been haphazardly installed.

These are in contravention of section 11 of the Minimum Housing and Health Standards which states: *“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.”*

- c. Mouse droppings were noted by the front entrance and in the kitchen.

This is in contravention of section 16(a) of the Minimum Housing and Health Standards which states: *“The owner shall ensure that the housing premises are free of insect and rodent infestations.”*

- d. The bedroom did not have proper emergency egresses to allow occupant to escape in emergency situations: When the crank style window was in its fully opened position, one side of the window obstructed its opening, reducing the size of the opening to 14” W X 31.5” H = 3.0 sqft.

This is in contravention of section 3(b) of the Minimum Housing and Health Standards which states: *“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.”* And section 3(b)(i) which states: *“Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).”*

- e. A smoke alarm was missing outside the bedroom to provide timely warning to the occupant in case of fire.

This is in contravention of section 12 of the Minimum Housing and Health Standards which states: *“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.”

f. Damaged building materials were noted in the bathroom:

- The bathroom vanity was missing a door, and the bottom edge was damaged.
- The exterior of the bathtub was damaged.

These are in contravention of section (1)(c) of the Minimum Housing and Health Standards which states: *“Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”*

g. Exterior cladding was in disrepair:

- Several siding panels on the north side of the house were bending and separating from the structure.
- A portion of the skirting on the south side of the house was detached from the structure.

These are in contravention of section 2(a) of the Minimum Housing and Health Standards which states: *“The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”*

h. Weatherstripping around the front door has deteriorated where daylight could be seen.

This is in contravention of section 2(b)(i) of the Minimum Housing and Health Standards which states: *“All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”*

i. Exterior door and window did not provide adequate cold protection for the winter months:

- The glass patio door at the back of the house was single paned.
- The kitchen window was single paned. There was also a significant gap between the window sashes.

These are in contravention of section 2(b)(ii) of the Minimum Housing and Health Standards which states: *“In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.”*

j. The following areas of the wall and floor were in disrepair:

- The surface on the laundry room entrance was damaged, i.e., a part of the trim was missing.
- The linoleum flooring by the front door was cracked and lifting.

These are in contravention of section (5) of the 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.”*

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 31, 2024**.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Hire a qualified plumber to repair the plumbing system, i.e., drainage and the water line to the toilet.
 - b. Hire a licensed electrician to assess the electrical system. Carry out necessary repairs and obtain appropriate permit from City of Edmonton if necessary. Submit a copy of the electrician report and/or City of Edmonton permit to the Environmental Public Health office.
 - c. Exterminate the mouse population inside the house and garden shed. Seal all holes and gaps on the exterior and interior of the house to stop mice from entering. Reduce clutter in the yard. Continue to monitor mouse activities inside the house until the infestation is resolved.
 - d. Retrofit or replace the bedroom window to comply with the emergency egress requirements.
 - e. Install a smoke alarm outside the bedroom.
 - f. Repair or replace the bathroom vanity and bathtub.
 - g. Replace the damaged siding and skirting on the exterior of the house.
 - h. Replace the weatherstripping around the front door.
 - i. Install additional sashes to the kitchen window to render it double glazed. An alternative is to replace the existing window with a double-glazed window.
 - j. Retrofit or replace the glass patio door. Glass doors and windows need to be at least double-glazed to provide adequate weatherproofing in the winter months.
 - k. Repair the surface of the laundry room entrance to the, i.e., replace the missing trim.
 - l. Replace the damaged linoleum flooring by the front door.
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, July 18, 2024

Confirmation of a verbal order issued to Andrew Buryas on July 17, 2024.

The Executive Officer's Order was amended on July 18, 2024, after Dionne Mascarenhas confirmed Andrew Buryas was no longer the property manager.

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
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>.

Health Legislation and regulations are available for purchase. Please contact 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>.

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

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<https://www.ahs.ca/eph>