

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

To: Patrizia Zingle Wade Zingle
 "Owner" "Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
13129 66 Street NW Main Floor Suite and the Basement Suite

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:

Main Floor Suite

- a. There was a broken exterior window in the living room.
- b. Both of the window panes in the sunroom were broken.
- c. There was a window pane in the bathroom that was broken.
- d. The bathroom window was only single paned.
- e. The bathroom was not equipped with natural or mechanical ventilation as the bathroom window had been sealed shut.
- f. The plastic surround in the bathing area by the window was ripped and the area was covered using duct tape.
- g. Mold was seen on the popcorn ceiling in the bathroom.
- h. There was one burner on the stove that was not functioning.
- i. The refrigeration unit was leaking water from the bottom of the unit.
- j. There were several areas of flooring ripped, one area was by the back door and the other area was in the southeast corner of the kitchen, both areas were covered using duct tape.
- k. The lock for the back door was malfunctioning and did not fully lock.
- l. There was visible light seen around the back door indicating a lack of weather stripping.
- m. The window in the pantry was single paned.
- n. There was no hand railing for the stairs leading to the upstairs.
- o. The east and west bedroom windows are too small for emergency egress, the unobstructed opening was measured and found to be 10 by 31 inches.
- p. The middle bedroom room window was too small for emergency egress the unobstructed opening was measured and found to be 14 by 31 inches.
- q. Water damage was seen on the ceiling in the room off the living room and in the laundry room.
- r. The main floor bedroom window screen was ripped.

- s. A large portion of the cement edge for two of the rear exterior steps have disintegrated causing a tripping hazard.
- t. The height from the top of the last stair to the ceiling upstairs was measured and found to be too low, from the center of the stair to the ceiling the height was 60 inches the minimum height must be 72 inches.

Basement Suite

- u. The suite door was not secure, the lock was broken.
- v. There is a heating duct that runs the length of the suite, the height was measured from the floor to the ceiling of the heating duct and was found at 71 inches which is too low the minimum height must be 72 inches.
- w. The laundry room window was single paned.
- x. The hand railing for the basement stairs was missing.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act, Nuisance and General Sanitation Regulation Alberta Regulations 243/2003 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. Items [a, b, c and l] is in contravention of section III(2)(b)(i) of the Minimum Housing and Health Standards which states that: All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- b. Items [d, m and w] is in contravention of section III(2)(b)(ii) of the Minimum Housing and Health Standards which states that: 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.
- c. Item [e] is in contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
- d. Items [f and g] 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.
- e. Item [h and i] is in contravention of section IV(14)(a)(i) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: 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.
- f. Item [j] is in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: 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, and 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.

- g. Items [k and u] is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
- h. Items [n and x] 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, 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.
- i. Items [o and p] is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: 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”).
- j. Items [q and s] 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.
- k. Item [r] is in contravention of section III(2)(b)(iii) of the Minimum Housing and Health Standards which states that: During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.
- l. Items [t and v] is in contravention of section 2(1) of the Nuisance and General Sanitation and Regulations states that: No person shall create, commit or maintain a nuisance that might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.

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 for the main floor are to vacate the above noted premises on or before May 31, 2023.
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 hire 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**. As this home 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. 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 as outlined in the Alberta Asbestos Abatement Manual**.

- b. Replace all broken windowpanes in the home and install weather stripping around the back door. Ensure that all the windows and exterior doors are maintained in good repair, free of cracks and weatherproof.
- c. Install storm windows for the main floor pantry, bathroom and the basement suite laundry room prior to the start of the winter months. Ensure that all windows in the housing premises intended for use during the winter months are provided with a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.
- d. Either supply the main floor bathroom with natural ventilation or install a mechanical ventilation. Ensure that all rooms containing a flush toilet and/or bathtub or shower are provided with natural or mechanical ventilation.
- e. Replace the plastic surround in the shower area and remove the popcorn ceiling in the bathroom. **Ensure that these areas are tested for asbestos prior to repair.** Ensure that all rooms containing a flush toilet and/or a bathtub or shower have walls and ceilings that are smooth, non-absorbent to moisture and easy to clean.
- f. Repair or replace the stove and the refrigeration unit. Ensure that the housing premises is provided with a stove and a refrigeration unit that is maintained in a safe and proper operating condition. The refrigeration unit must be capable of maintaining a temperature of 4 degrees C.
- g. Replace the ripped flooring in the kitchen and the back door area. **Ensure that these areas are tested for asbestos prior to repair.** Ensure that rooms that are used for food preparation and cooking have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean and that all flooring and all 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.
- h. Repair the door locks for the upstairs suite back door and the basement suite door. Ensure that all exterior windows and doors are capable of being secured.
- i. Install a hand railing for the steps leading to upstairs for the main floor suite and reinstall the hand railing for the stairs leading to the basement suite. Ensure that the inside or outside stairs or porches including all treads, risers, supporting structural members, rails, guards and balconies, are maintained in good repair and comply with the requirements of the Alberta Building Code or a Professional Engineer design.
- j. Install egress windows for all the bedrooms upstairs in the main floor suite. Ensure that all bedroom windows referred to above are provided with an unobstructed opening with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
- k. Remove and repair all the water damaged materials on the ceilings in the main floor laundry room and the room off the living room. **Ensure that these areas are tested for asbestos prior to repair.** Repair or replace the cement steps for the exterior back steps. Ensure that all building materials that have been damaged or show evidence of rot or other deterioration are repaired or replaced.
- l. Repair or replace the window screen for the main floor bedroom window in the main floor basement suite. Ensure that during the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation is supplied with effective screens.

- m. Increase or modify the ceiling upstairs in the main floor suite and the ceiling of the basement suite so that there is a minimum height of no less than 6 Feet (72 inches) or 183 Centimeters. Ensure that no nuisance that might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease exists within the home.
- 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, 30 May 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
Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

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 King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

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 www.qp.gov.ab.ca.

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>

Edmonton • Suite 700 • Environmental Public Health
10055 106 Street NW Edmonton, Alberta, Canada T5J 2Y2
www.albertahealthservices.ca/eph.asp