

ORDER OF AN EXECUTIVE OFFICER CLOSED FOR TENANT ACCOMMODATION PURPOSES

To: **Drury Leon Taylor** **Gina Measures**
 “the owner” **“the tenant”**

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as: basement, 13312 Dovercourt Avenue, Edmonton

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. Water stains were observed on the basement northside wall, indicating previous water infiltration.
- b. Water damage on the linoleum floor covering and base of walls was observed in the basement bathroom.
- c. Bedroom room window was painted- shut and could not open during inspection.
- d. No guardrails were installed on the stairs leading to the basement.
- e. Linoleum floor covering lifting was observed in the basement bathroom.
- f. No water was provided to the kitchen sink during inspection.
- g. Smoke alarm was installed too far from the bedroom and/or sleeping area.
- h. No natural or mechanical ventilation was provided in the basement bathroom.
- i. Multiple electrical junction boxes/covers were missing in the furnace room/area.

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. Water stains were observed on the basement northside wall, indicating previous water infiltration which is in contravention of section 1 (b, d) of the Minimum Housing and Health Standards which states that: (b) Maintain premises in good repair and free from water infiltration and accumulation. (d) Repairs or modification of any structural element of the housing premises may require the design and/or

- supervision of a professional structural engineer or a Safety Codes Officer (Building Discipline).
- b. Water damage on the linoleum floor covering and base of walls was observed in the basement bathroom which is in contravention of section 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. Bedroom room window was painted- shut and could not open during inspection which is in contravention of section 3 (b) (ii) of the Minimum Housing and Health Standards which states that: Windows referred to in section 3 (b) (i) shall provide unobstructed openings with areas not less than 0.35 m^2 (3.8 ft^2), with no dimension less than 380 mm (15").
 - d. No guardrails were installed on the stairs leading to the basement which is in contravention of section 3 (c) (i) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, 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.
 - e. Linoleum floor covering lifting was observed in the basement bathroom which is in contravention of section 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.
 - f. No water was provided to the kitchen sink during inspection which is in contravention of section 6 (a, b, c) of the Minimum Housing and Health Standards which states that: (a) 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) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
 - g. Smoke alarm was installed too far from the bedroom and/or sleeping area which is in contravention of section 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.
 - h. No natural or mechanical ventilation was provided in the basement bathroom which is in contravention of section 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. A bathroom fan exhausted to the exterior is needed where windows cannot be solely relied upon.
 - i. Multiple electrical junction boxes/covers were missing in the furnace room/area which is in contravention of section 11 of the Minimum Housing and Health Standards which states that: Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition. It may be necessary

to contact the services of a qualified electrician to carry out an assessment and repairs of the affected electrical components.

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 occupant(s) vacate the above noted premises on or before October 26, 2015.
2. That the owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition.
 - b. Ensure that all building materials that have been damaged or show evidence of deterioration is repaired or replaced.
 - c. Ensure all bedroom windows are provided with an unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
 - d. Install a guardrail on the stairs leading to basement.
 - e. Ensure that all walls, windows, ceilings, floors, and floor coverings be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
 - f. Provide water supplies to the kitchen sink.
 - g. Ensure that a functioning smoke alarm situated on the ceiling by the bedrooms.
 - h. Install a mechanical exhaust fan in the bathroom.
 - i. Ensure all electrical outlets, switches and fixtures are properly installed and maintained in a good and safe working condition.
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.

You are advised that should there be suite development, or major installation or replacement of heating, plumbing, gas, and/or mechanical equipment, this premises may be subject to permit requirements and/or relevant “secondary suites” requirements as administered by the municipality and its associated building departments and agencies.

DATED at **Edmonton, Alberta, October 20, 2015.**

_____(Original Signed)_____
Dengzhong Wang, CPHI(C)
Executive 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 within ten (10) days after receiving the order to the Public Health Appeal Board located at 24th Floor, Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta, T5J 1S6. Telephone (780) 427-2813.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at (780) 342-0122, or the Public Health Appeal Board (780) 427-2813.

You are advised that all orders remain in effect pending such an appeal

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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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