

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

To: **Zhengrong Xu**
 Lidan Feng
 Edmonton, Alberta

Matt Thiel
 Edmonton, Alberta

Della Mills
 Condominium Consultants Canada Inc
 Edmonton, Alberta

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

RE: Basement, 2454 – 104 Street NW
 Edmonton, Alberta T6J 4J8
 Plan 7822260, Block 26, Lot _

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above 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 the prevention or suppression of disease, namely:

- a. There were no windows in the basement bedroom suitable for emergency egress or ventilation.
- b. Headroom clearance was measured to be 69 inches.
- c. The door to the bedroom was getting stuck with the carpet making it difficult to open or close.

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. Housing Regulation 173/99 s.4
There were no windows in the basement bedroom, which is in contravention of section III(3)(b)(i) 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 m² (3.8ft²), with no dimension less than 380 mm (15").

- b. Nuisance and General Sanitation Regulation 243/2003 s.2
Headroom clearance was measured to be 69 inches, which is a contravention of Part 1, section 2(1) of the Nuisance and General Sanitation Regulation which states that no person shall create, commit or maintain a nuisance, and 2(2)(a) which states that without limiting the generality of subsection (1), a person who creates, commits or maintains (a) any premises in a condition that is or 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.
- c. Nuisance and General Sanitation Regulation 243/2003 s.2
The door to the bedroom was getting stuck with the carpet making it difficult to open or close, which is a contravention of Part 1, section 2(1) of the Nuisance and General Sanitation Regulation which states that no person shall create, commit or maintain a nuisance, and 2(2)(a) which states that without limiting the generality of subsection (1), a person who creates, commits or maintains (a) any premises in a condition that is or 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 vacate the above noted premises on or before **April 29, 2015**.
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure that all rooms used for the purposes of sleeping contain a window with an unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15").
 - b. Ensure that minimum headroom clearance in existing premises is 6 feet.
 - c. Ensure the door to the bedroom is in good repair, without any obstructions, and it is properly installed.
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, April 22, 2015

_____(Original Signed)_____
Elio Moreno, MPH, BSc, 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, AB T5J 1S6
Phone: 780-427-2813
Fax: 780-422-0914
E-mail: health.appealboard@gov.ab.ca

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. Health Legislation and regulations are available for purchase. Please contact Alberta Queen'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: www.health.alberta.ca/about/health-legislation.html