

ORDER OF AN EXECUTIVE OFFICER

To: Rick Wheeler and Tasha Spychka
"the Owner"

RE: Those premises located in St. Albert, Alberta and municipally described as:
3 Mission Avenue

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. There was evidence of water infiltration and disrepair in the following areas:
 - There was cracking and peeling paint on and around the cove ceiling in the main floor living room.
 - There was water staining around the windows in the main floor living room.
 - The frame for the exterior door by the carport was in disrepair, the frame was split and in disrepair.
 - The door between the main floor kitchen and the stairs to the basement was in disrepair.
 - There was a hole in the stairwell side of the door.
 - There was staining and bulging on the framing for the picture window in the washroom beside the side door.
 - There was water activity measured by the moisture meter present enough to support mould growth in the wall beside the access panel for the main floor washroom bathtub.
- b. There were screens missing from the openable windows in the kitchen and living room on the lower level.
- c. The bedroom window on the lower level was fastened shut from the outside and could not be opened in the event of a fire or other emergency.
- d. There were no guard or hand rails present on the exterior front or side stairs. The fall height was 41 inches from the walking surface to the ground for the front stairs and 31 inches for the side stairs.
- e. There was no window in the basement bedroom that could be opened for ventilation. The window was fastened shut from the outside.
- f. The finishes were in disrepair in the following areas:
 - There was cracking and peeling paint in the main floor living room wall and ceiling.
 - The floor in the main floor washroom was in disrepair at the base of the bathtub.
- g. The plumbing system was not in proper operating condition.
 - There was water leaking from the control portion of the main floor kitchen faucet.
 - There was an odour of sewer gases infiltrating into the house,
 - The drainage system for the basement washroom sink may be improperly connected to the floor drain.
- h. There was no ventilation present for the main floor washroom located by the back door.
- i. Electrical outlets, switches and fixtures were not being maintained in good and safe working condition.
 - There were electrical outlets with open grounds, open neutrals, and hot and neutral

reversal.

-There were electrical outlets in close proximity to plumbing fixtures in the main floor kitchen and the washroom with no indication of the outlets being GFI outlets.

-There were wires hanging from a junction box located on the unfinished ceiling in the basement laundry room.

-It was reported that with regular usage that the breakers would flip.

- j. The upstairs kitchen countertop was in disrepair along the seam. The area could provide harborage for dirt, grease, vermin and bacteria.

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. There was evidence of water infiltration and disrepair in the following areas:
- There was cracking and peeling paint on and around the cove ceiling in the main floor living room.
 - There was water staining around the windows in the main floor living room.
 - The frame for the exterior door by the carport was in disrepair, the frame was split and in disrepair.
 - The door between the main floor kitchen and the stairs to the basement was in disrepair. There was a hole in the stairwell side of the door.
 - There was staining and bulging on the on the framing for the picture window in the washroom beside the side door.
 - There was water activity measured by the moisture meter present enough to support mould growth in the wall beside the access panel for the main floor washroom bathtub. These were 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."
- b. There were screens missing from the openable windows in the kitchen and living room on the lower level. This is in contravention of section 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."
- c. The bedroom window facing the driveway on the lower level was fastened shut from the outside and could not be opened in the event of a fire or other emergency. This is in contravention of section 3(b)(i-ii) of the Minimum Housing and Health Standards which states that; (i) 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.(ii) 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")."
- d. There were no guard rails or hand rails present on the exterior front or side stairs. The fall height was 41 inches from the walking surface to the ground for the front stairs and 31 inches for the side stairs. This 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. There was no window in the basement bedroom facing the driveway that could be opened for ventilation. The window was fastened shut from the outside. This is in contravention of section 4 (i) of the Minimum Housing and Health Standards which states that; “All rooms used for sleeping shall be provided with (a) an openable window area of 0.28m² (3.0ft²); or (b) mechanical ventilation in conformance with the requirements of the Alberta Building Code.”
- f. The finishes were in disrepair in the following areas:
 - There was cracking and peeling paint in the main floor living room wall and ceiling.
 - The floor in the main floor washroom was in disrepair at the base of the bathtub. This is in contravention of section 5 and 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. (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.”
- g. The plumbing system was not in proper operating condition.
 - There was water leaking from the control portion of the kitchen faucet.
 - There was an odour of sewer gases infiltrating into the house,
 - The drainage system for the basement washroom sink may be improperly connected to the floor drain. This is in contravention of section 6 (a) and (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.” And “(c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”
- h. There was no ventilation present for the main floor washroom located by the back door. There was no fan and no openable window for this washroom. This 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.”
- i. Electrical outlets, switches and fixtures were not being maintained in good and safe working condition.
 - There were electrical outlets with open grounds, open neutrals, and hot and neutral reversal.
 - There were electrical outlets in close proximity to plumbing fixtures in the main floor kitchen and the washroom with no indication of the outlets being GFI outlets.
 - There were wires hanging from a junction box located on the unfinished ceiling in the basement laundry room.
 - It was reported that with regular usage that the breakers would flipThis is in contravention of section 11 of the Minimum Housing and Health Standards which states that: “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.”

- j. The upstairs kitchen countertop was in disrepair along the seam. The area could provide harborage for dirt, grease, vermin and bacteria. This is in contravention of section 14 (iii) of the Minimum Housing and Health Standards which states that: “a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned”.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure all building materials are in good repair, safe condition and structurally sound.
 - (i) Investigate and eliminate the source of water,
 - (ii) Remove any and all damaged and water damaged building materials,
 - (iii) ensure the area is thoroughly dry before installing new building materials.
 - b. Ensure that all openable windows have effective screens installed.
 - c. (i) Provide a letter of intent and supporting documentation to the undersigned confirming that a window that meets all egress requirements or an approved sprinkler system will be installed in all rooms used for sleeping.
(ii) Ensure that there is at least one window in every bedroom or sleeping area that has an openable area that is not less than 3.8 square feet with no dimension less than 15 inches and the window shall be openable from the inside without the use of tools or special knowledge.
 - d. Install effective hand rails and guards for the exterior stairs to the house. Ensure that the guards and hand rails installed comply with the requirements of the Alberta Building Code or a professional engineer design.
 - e. Ensure that there is an openable window for each of the bedrooms that meets the ventilation requirement or provide documentation that there is mechanical ventilation in conformance with the requirements of the Albert Building Code.
 - f. Repair the walls, ceiling and floors that are in disrepair and ensure they are maintained free from cracks, holes, loose or lifting coverings and in a condition that renders them easy to clean.
 - g. Ensure that the finishes in the washrooms are smooth, non-absorbent to moisture and easy to clean.
 - h. Repair or replace the faucet for the upstairs kitchen sink and ensure that the plumbing fixtures are free from leaks.
 - i. Investigate and eliminate the source of the odour of sewer gases infiltrating the house.
 - j. Ensure the drainage system of the basement washroom sink meets safety codes requirements by providing a plumbing report with regards to the safety or corrective actions required for the drainage system of the basement washroom sink.
 - k. Install adequate ventilation in the main floor washroom located beside the back door.
 - l. Repair or replace the electrical outlets and ensure that they are maintained in a good and safe working condition.
 - m. Provide an electrical report with regards to the safety or corrective actions required for the electrical system of the building with specific notice given to the safety of the electrical outlets, the outlets in close proximity to the plumbing fixtures, and the wires present in the junction from a Safety Codes Officer (Electrical Discipline) with the municipality having jurisdiction.

- n. Repair or replace the upstairs kitchen countertop and ensure that any seams (if present) are sealed in a manner that is smooth, easily cleaned and does not provide harborage to dirt, grease vermin or bacteria.

2. The work referred to in paragraph 1 shall be completed on the following timeframe:

Items a(i), a(ii), b, g, are to be completed by July 19, 2018

Items c(i), d, f, h, i, j, k, l, m, n are to be completed by August 3, 2018

Item a(iii) is to be completed by August 20, 2018

Items c(ii) and e are to be completed by September 5, 2018

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 St. Albert, Alberta, July 6, 2018

_____(Original Signed)_____
Karen Hislop, CPHI(C)
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: <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.

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

Copy City of St. Albert

City of St. Albert • St. Albert Public Health Centre • Population, Public and Indigenous Health

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www.albertahealthservices.ca/eph.asp