

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

**To:** Phat Hong  
"the Owner"

Van Vuong  
"the Property Manager"

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

**RE:** Those housing premises located in Sturgeon County, Alberta and municipally described as: 302, 26023 Township Road 544

**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 moisture detected in several areas of the finished basement. Moisture was detected using a calibrated protimeter in the following areas:
  - baseboards in the living room (all exterior walls).
  - baseboards and partway up the rear wall in the theatre room.
  - rear basement bedroom baseboards and approximately 60 cm up the wall (including in the utility closet).
  - basement washroom baseboards and on the lower part of the wall.
  - basement hall closet baseboard.
  - front basement bedroom baseboards and wall.
- b. There was evidence of water damage and visible mould in the basement baseboards, walls and carpet. There was evidence of water damage around the hole for the sound wiring in the basement theatre room.
- c. The screen on the window near the wet bar in the basement was missing. The screens in both basement bedrooms were loose and need to be properly installed.
- d. The door to the garage had the deadbolt installed backwards (key required to open the door from inside the house), which is an egress concern in case of emergency. The front basement bedroom window did not lock. The living room window beside the back door did not have a lock.
- e. The water to this premise had been turned off by the utility provider.

**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 moisture detected in several areas of the finished basement. Moisture was detected using a calibrated protimeter in the following areas:
- baseboards in the living room (all exterior walls).
  - baseboards and partway up the rear wall in the theatre room.
  - rear basement bedroom baseboards and approximately 60 cm up the wall (including in the utility closet).
  - basement washroom baseboards and on the lower part of the wall.
  - basement hall closet baseboard.
  - front basement bedroom baseboards and wall.

This is in contravention of section 1 (b) of the Minimum Housing and Health Standards which states that: “Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation. This is also in contravention of section 3(1) of the Housing Regulation which states that: “An owner shall ensure that the housing premises are (i) structurally sound, (ii) in a safe condition, (iii) in good repair, and (iv) maintained in a waterproof, windproof and weatherproof condition.”

- b. There was evidence of water damage and visible mould in the basement baseboards, walls and carpet. There was evidence of water damage around the hole for the sound wiring in the basement theatre room. This 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. The screen on the window near the wet bar in the basement was missing. The screens in both basement bedrooms were loose and need to be properly installed. This is in contravention to 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.”
- d. The door to the garage had the deadbolt installed backwards (key required to open the door from inside the house), which is an egress concern in case of emergency. The front basement bedroom window did not lock. The living room window beside the back door did not have a lock. This is in contravention to section 3 (a) of the Minimum Housing and Health Standards which states that: “Exterior windows and doors shall be capable of being secured.”
- e. The water to this premise had been turned off by the utility provider. This is in contravention to section 9 of the Minimum Housing and Health Standards which states that: “Every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.”

**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 October 17 2018.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Investigate and repair the source of water infiltration affecting the basement.
  - b. Remove and replace all affected building materials. Due to the size of the affected area, a qualified remediation contractor must complete the remediation. Mould

remediation shall be consistent with the guidelines outlined in the Alberta Health Services “Mouldy Homes and Buildings” and “Fungal Air Testing, Investigation and Reporting Requirements for Extensively Mould-Contaminated Buildings” documents. A report from a qualified environmental consultant is required to demonstrate the mould remediation work was thorough and effective.

- c. Install functional screens on all openable windows.
  - d. Install functional locks on all exterior doors and windows. Ensure locks can be opened from the inside without the use of keys.
  - e. Ensure the premise is supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.
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 St. Albert, Alberta, October 17 2018  
Confirmation of a verbal order issued to Van Vuong on October 17 2018.

\_\_\_\_\_ (Original Signed) \_\_\_\_\_

Karah Harvey, 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, 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](mailto: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](http://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](http://www.health.alberta.ca/about/health-legislation.html)

Copy Sturgeon County

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St. Albert • St. Albert Public Health Centre • Environmental Public Health

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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)