

ORDER OF AN EXECUTIVE OFFICER UNFIT FOR HUMAN HABITATION ORDER TO VACATE

To: Phat Vuong
"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:
309, 26023 Township Road 544 (309 Northern Drive)

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 water accumulation in the entire basement. The floor coverings were saturated and there was standing water on the floor in the basement in all areas.
- b. Significant mould growth was observed on the walls and baseboards in all areas of the basement.
- c. The rear basement bedroom window was cracked.
- d. There was a sleeping area set up in the windowless room in the basement.
- e. The furnace and hot water heater in the utility room were partially submerged in water (estimated to be 3-5 cm of water).

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 water accumulation in the entire basement. The floor coverings were saturated and there was standing water on the floor in the basement in all areas. 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. Significant mould growth was observed on the walls and baseboards in all areas of the basement. 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 rear basement bedroom window was cracked. This is in contravention to section 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."
- d. There was a sleeping area set up in the windowless room in the basement. This is in contravention to sections 3 (b) (i- ii) of the Minimum Housing and Health Standards which states that: "(i) For building of 3 storeys or less, 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 opening with areas not less than 0.35 square meters (3.8 square feet), with no dimension less than 380 mm (15 inches)."
- e. The furnace and hot water heater in the utility room were partially submerged in water (estimated to be 3-5 cm of water). This is in contravention of section 8 (a) of the Minimum Housing and Health Standards which states that: "All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms and toilet rooms within the building..."

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Unfit for Human Habitation**.

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

1. That the occupants vacate the above noted premises on or before September 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. Replace the cracked window pane in the rear basement bedroom.
 - d. Install a window in every room used for sleeping that meets emergency egress requirements or install an approved sprinkler system, in accordance with building code and permit requirements.
 - e. A thorough assessment and service of the heating and ventilation system and its components in the building is required. A thorough assessment of the hot water heater is also required. Reports from the assessment and service must be provided to Alberta Health Services.

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 vacant and secure from unauthorized entry.

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, September 14 2018.

_____(Original Signed)_____

Karah Harvey, 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

Order of an Executive Officer – Unfit for Human Habitation - Order to Vacate

RE: The premises located in Sturgeon County, Alberta and municipally described as: 309, 26023 Township Road 544 (309 Northern Drive)

Page 4 of 4

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

23 Sir Winston Churchill Avenue St. Albert, Alberta, Canada T8N 2S7

www.albertahealthservices.ca/eph.asp