

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

**To:** Weidner Apartment Homes

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

**RE:** 433, 4807E – 137 Avenue ( Wyndham Crossing)  
Edmonton, Alberta

**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. Conditions for mould growth due to water infiltration were noticed in the suite.
- b. Water damage/hole on the ceiling and damp carpeting were observed in the bedroom.
- c. The water infiltration to the suite was from roof.

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act and the Regulations there under exist in and about the above noted premises, namely:

- a. **Nuisance and General Sanitation Regulation 2(1):**  
Conditions for mould growth is in contravention of section 2(1) of Nuisance and General Sanitation Regulation which states that: no person shall create, commit or maintain a nuisance.  
**Housing Regulation 173/99 s.4**  
Conditions for mould growth is in contravention of section 5(2) of Housing Regulation which states: no person shall cause or permit any condition in housing premises that is or may become injurious or dangerous or the public health, including any condition that may hinder in any way the prevention or suppression of disease.
- b. **Housing Regulation 173/99 s.4**  
Water damage is in contravention of section 1 ( b, d) of Minimum Housing and Health Standards which states: (b) maintain premises in good repair and free from water infiltration and accumulation; (c) building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced (d) repairs or modification or 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).  
**Housing Regulation 173/99 s.4:**

Water damages on the ceiling and carpeting is also in contravention of section 5 of Minimum Housing and Health Standards which states: 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.

**c. Housing Regulation 173/99 s.4**

Water infiltration is in contravention of section 2(a) of Minimum Housing and Health Standards which states: the roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.

**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 owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Retain service from an Environmental Consultant to assess the water damage, mould contamination and other potential hazardous materials including asbestos prior to the performance of any repair or remediation works.
  - b. Locate the source of water infiltration and repair accordingly.
  - c. Break the affected walls/ceilings and empty the cavity of any insulation, debris or dirt, and dry all the interior materials thoroughly.
  - d. Remove and replace any water damaged/mouldy materials.
  - e. Ensure that all walls, ceilings, floors and floor coverings are in good repair.
2. 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.

*Please be advised that it is your responsibility to ensure that any asbestos containing materials, lead paint and mouldy areas are repaired without creating any hazards for your workers. Any necessary permits for repairs must be obtained from the City of Edmonton.*

*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, **January 23, 2013**.

\_\_\_\_ Original Signed \_\_\_\_\_  
Dengzhong Wang, 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 within ten (10) days after receiving the order to the Public Health Appeal Board located at 24<sup>th</sup> 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](http://www.qp.gov.ab.ca).*

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*Copies of standards are available by contacting the Health Protection Branch of Alberta Health & Wellness at (780) 427-4518, or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)*