

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

**To:** Urmilla Prakash                      Erwin Prakash  
Edmonton, Alberta                      Edmonton, Alberta

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

**RE:** Basement Suite, 6308 – 17 Avenue, Edmonton, Alberta  
Plan 7721181, Block 16, Lot 28

**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:

The basement suite had two areas, separated by a utility and laundry room. The kitchen was located in a common area, accessible to all occupants of the premise, through the utility room. The living area, bathroom and sleeping area was in a separate area of the basement from the kitchen and was able to be secured from other occupants of the premise.

- a. There was no smoke alarm installed in the sleeping area, therefore there was no early warning system available in the case of a fire.
- b. The basement bedroom window was measured to have an openable area of 5" X 12" which is not acceptable as a secondary means of egress in the case of a fire or other emergency.
- c. The basement bedroom window had a security bar installed, that had the potential to be locked and could prevent secondary means of egress in the case of a fire or other emergency.
- d. The kitchen window was cracked which does provide adequate weatherproofing and compromises the structural integrity of the window.
- e. The ceiling in the bedroom area was patched and unpainted which prevents proper cleaning.
- f. The bedroom carpet adjacent to the bathroom was wet at the time of inspection, which caused it to be in disrepair and provided conditions conducive for mould growth.
- g. Mould growth was observed along the wall in the bathroom that adjoins the bedroom creating a health hazard.
- h. Mould growth was observed under the shower stall, along the baseboard creating a health hazard.
- i. Mould growth was observed on the ceiling in the shower stall creating a health hazard.

- j. The walls behind the kitchen sink were unfinished, with the plumbing fixtures exposed, which can allow for the accumulation of dirt and debris and provide harbourage for dirt, grease, vermin and bacteria and are not easily cleaned.
- k. The walls in the kitchen were constructed of unfinished drywall, preventing proper cleaning.
- l. The vinyl floor covering in the kitchen was cracked near the kitchen sink, preventing proper cleaning and could lead to a buildup of dirt and debris.
- m. The floor in the bathroom had evidence of previous water damage, which could lead to the deterioration of the floor.
- n. There was a hole in the shower stall floor, which could cause a tripping hazard and could lead to a buildup of moisture and mould growth.
- o. Electrical outlet covers in the kitchen were missing, creating an electrical hazard.

**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. Housing Regulation 173/99 s.4  
There was no smoke alarm installed which is a contravention on section 12 of the Minimum Housing and Health Standards which states that smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite; and, where hallways serve the sleeping areas the smoke alarms shall be installed within the hallway.
- b. Housing Regulation 173/99 s.4  
The basement bedroom window was measured to have an openable area of 5" X 12", which is a contravention of section 3(b) of the Minimum Housing and Health Standards. Windows intended to be secondary means of egress shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup> or 547 inches), with no dimensions less than 380 mm (15"). All egress windows must open directly to the outside.
- c. Housing Regulation 173/99 s.4  
The basement bedroom window had a security bar installed, that had the potential to be locked which is a contravention of section 3 (b) (ii) of the Minimum Housing and Health Standards which states that, security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge.
- d. Housing Regulation 173/99 s.4  
The kitchen window was cracked which is a contravention of section 2 (b) (i) which states that all windows and exterior doors shall be in good repair, free of cracks and weatherproof.
- e. Housing Regulation 173/99 s.4  
The bedroom carpet closet to the bathroom was wet, and the ceiling in the bedroom was patched and unpainted, which is a contravention of section 5 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.

- f. Housing Regulation 173/99 s.4  
The wall behind the kitchen sink were unfinished, with the pipes exposed, the walls in the remaining part of the kitchen were unpainted, and the linoleum floor covering in the kitchen was cracked, near the kitchen sink, which are a contravention of section 5 of the Minimum Housing and Health Standards, which state 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 and (b) rooms or sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
- g. Nuisance and General Sanitation Regulation 243/2003 s.2  
There was mould growth observed along the wall in the bathroom that adjoins the bedroom, under the shower stall, along the baseboard and on the ceiling in the shower stall which is a contravention of Part 1, section 2(1) 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.
- h. Housing Regulation 173/99 s.4  
The floor in the bathroom had evidence of previous water damage which is a contravention of section 5 of the Minimum Housing and Health Standards, which state 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 and (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.
- i. Housing Regulation 173/99 s.4  
There was a hole in the shower stall floor, which is in contravention of section 6 (c) of the Minimum Housing and Health Standards, which states that all plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- j. Housing Regulation 173/99 s.4  
Electrical outlet covers in the kitchen were missing which is a 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.

**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 May 1, 2012.
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Install an operational smoke alarm near the sleeping area.
  - b. Modify or replace the bedroom window to have an unobstructed opening with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup> or 547 inches<sup>2</sup>), with no dimension less than 380 mm (15"). All egress windows must open directly to the outside and be able to stay up when opened.
  - c. Remove or replace the security bars on the bedroom window. Security bars must be openable without the use of tools or special knowledge. Security bars installed on egress windows must be equipped with an emergency egress mechanism and not be capable of being locked.
  - d. Repair or replace the kitchen window to be in good repair, free of cracks and weatherproof. Ensure all windows are adequately weatherproof.
  - e. Ensure 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 and all 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 and that all rooms or sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
  - f. Ensure that all plumbing fixtures are serviceable, free from leaks, trapped and vented to the outside, including the shower, toilet and hand basin.
  - g. Ensure that all electrical outlets, switches, and fixtures are properly installed and maintained in a good and safe working condition.
  - h. Investigate the cause of the water infiltration and repair as required. Investigate the extent of the mould contamination.
  - i. Remove and discard all water damaged and/or mouldy materials. Ensure the area is dried and repair/finish to meet the Minimum Housing and Health Standards.

Where water damage has occurred, the area must be assessed to determine the extent of damage and mould contamination. This assessment must include insulation and any other absorbent material in wall and ceiling cavities. All mouldy material must be removed and the area cleaned and dried before repairs and refinishing are complete.

Where mould growth is extensive, mould remediation must be consistent with procedures in these or similar documents:

- Mould Remediation in Schools and Commercial Building (EPA, 2001)
- Guidelines on Assessment and Remediation of Fungi in Indoor Environments (New York City Department of Health, 2002)
- Mould Guidelines for the Canadian Construction Agency (CCA, 2004)

- Mould in Indoor Environments Risk Assessment and Management Program Handbook (Alberta Research Council/ Alberta Infrastructure and Transportation, 2006)
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, May 3, 2012

\_\_\_\_\_(Original Signed)\_\_\_\_\_  
Chelsey Velthuisen, B.Sc, BEH (AD), 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).*

*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](http://www.qp.gov.ab.ca).*

*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)*

Confirmation of an oral order issued to **Erwin Prakash**, at **approximately 1:00 pm on April 30, 2012**.