

ORDER OF AN EXECUTIVE OFFICER

To: Marshall Shultz
"the owner"

RE: Those premises located in Edmonton, Alberta and municipally described as:
6707 32 Avenue NW, Edmonton, AB

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 were water damaged materials in the basement washroom. The wall and ceiling finishes above the shower were peeling. There were high moisture levels detected and mould growth was noted on the wall.
- b. The door trim around the basement bathroom was damaged and sections of trim were missing.
- c. The basement bathroom fan was missing its cover.
- d. The basement windows were too small for emergency egress. Individuals were sleeping in the bedroom, living room area and the area that contained the washer and dryer and furnace.
- e. There were uncapped electrical wires exposed in the basement living room area.
- f. There were multiple electrical cords plugged into outlets and power bars in the basement. Electrical cords were running everywhere creating a fire concern and tripping concern.
- g. Numerous electrical outlets in the basement were missing plate covers.
- h. It appeared that someone was sleeping in the furnace room as there was mattress and bedding set up in the area. There was an extensive number of items stored around and on top of the furnace.
- i. There was a portable heater set up in the furnace room. It was connected to an extension cord that was connected to power bar with numerous other cords.
- j. There was no guard on the stairs leading to the basement.
- k. There was a drawer front missing in the kitchen.
- l. There were sections of baseboard missing in kitchen and sections of linoleum flooring were ripped.
- m. The window trim and casing around numerous windows on the main floor were not been finished.
- n. There were numerous windows missing screens.
- o. The dining room area had been boarded up and was now serving as a sleeping quarters.
- p. There were more than 8 individuals staying in the premises and one kitchen.

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. Items (a and b) are in contravention of section III (5) (a) of the Minimum Housing and Health Standards which states that: 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.
- b. Item (d) is in contravention of section III (3) (b) (i) of the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
- c. Items (e, f and g) are in contravention of section IV (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.
- d. Items (h. and i.) are in contravention of Section 5(2) of the Housing Regulations which states that: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.
- e. Items (a, k m) are in contravention of section III (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.
- f. Item (j) is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.
- g. Item (l) is in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: Rooms and 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.
- h. Item (m) is in contravention of section III(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.
- i. Item (n) is in contravention of section III(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.
- j. Item (p) is in contravention of section IV (14) (b) (IV) of the Minimum Housing and Health Standards which states that: Occupants of a housing premises with more than one dwelling may share food preparation facilities provided that: the food preparation facilities shall not serve more than eight persons.

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. Vacate the basement area and cease using it as habitable space until violations cited in the basement have been addressed. This includes items (b. to i.)
 - b. Remove the water damaged materials in the basement washroom. Replace with material that is in good repair, smooth, non-absorbent to moisture and easy to clean.
 - c. Replace and install door trim around the basement bathroom that is in good repair and easy to clean.
 - d. Install a cover on the basement bathroom fan.
 - e. Install a window that is adequate for emergency in areas of the basement that will be used for sleeping.
 - f. Cap all exposed electrical wires in the basement living room area.
 - g. Ensure all electrical outlets have plate covers and electrical outlets are not overloaded.
 - h. Remove the excessive number of items that are stored near and on top of the furnace.
 - i. Install a guard on the stairs leading to the basement.
 - j. Ensure all kitchen drawers and cupboards are in good repair, smooth, non-absorbent and easy to clean.
 - k. Install baseboards in the kitchen were they are missing and repair the section of linoleum flooring that was ripped.
 - l. Install trim and casing around the newer windows on the main floor.
 - m. Install windows screens on all windows that can be opened and are intended for ventilation.
 - n. Ensure there are no more than 8 individuals staying in the premises at a time.
2. The work referred to in paragraph 1 shall be completed by:
 - Item (a) must be completed on or before November 15, 2018.
 - Item (b,c,d,e) must be completed prior to Environmental Public Health allowing re occupancy
 - Item (f,g,h) must be completed on or before November 7, 2018
 - Items (j-n) must be completed on or before November 30, 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 Edmonton, Alberta, November 1, 2018

Confirmation of a verbal order issued to Marshall Shultz on October 30, 2018.

_____ (Original Signed) _____

Meaghen Allen, 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

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Copy Robert King, Safety Codes Officer Senior Supervisor, City of Edmonton

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