

ORDER OF AN EXECUTIVE OFFICER

To: Maury A Shapka
"the Owner"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
202 – 7603 104 Street NW

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. All three doors on the exterior of the unit leading into the kitchen, washroom, and bedroom were removed. The interior of the home could be observed from the common hallway of the building.
- b. The bedroom next to the kitchen does not have adequate egress that leads to the exterior of the building. Both the door and window lead into the hallway.
- c. No working smoke alarms were present in the unit.
- d. The circuit breakers are removed from the electrical panel. The apartment unit has no electricity.
- e. The unit does not have a thermostat to control the temperature of the home. The temperature in the home measured 19°C.
- f. The fridge temperature was measured at 12°C.
- g. The stove could not be turned on at the time of inspection. One of the burners was reported to be broken.

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. All three doors on the exterior of the unit leading into the kitchen, washroom, and bedroom were removed. The interior of the home could be observed from the common hallway of the building. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards, which states "Exterior windows and doors shall be capable of being secured."
- b. The bedroom next to the kitchen does not have adequate egress that leads to the exterior of the building. Both the door and window lead into the hallway. This is in contravention of Section 3(b)(i) of the Minimum Housing and Health Standards, which states "For buildings of 3 storeys or less and 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."
- c. No working smoke alarms were present in the unit. This is in contravention of Section 12 of the Minimum Housing and Health Standards, which states "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.

(a) Smoke alarms shall be operational and in good repair at all times.”

- d. The circuit breakers are removed from the electrical panel. The apartment unit has no electricity. This is in contravention of Section 11 of the Minimum Housing and Health Standards, which states “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.”
- e. The unit does not have a thermostat to control the temperature of the home. The temperature in the home measured 19°C. This is in contravention of Section 8(a) of the Minimum Housing and Health Standards, which states “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 to a temperature of; (i) at least 22°C (71°F), or (i) maintained at a temperature of at least 22°C (71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.”
- f. The fridge temperature was measured at 12°C. This is in contravention of Section 14(a)(iv) of the Minimum Housing and Health Standards, which states “Every housing premises shall be provided with a food preparation area, which includes: (iv) a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. (40°F).”
- g. The stove could not be turned on at the time of inspection. One of the burners was reported to be broken. This is in contravention of Section 14(a)(iv) of the Minimum Housing and Health Standards, which states “Every housing premises shall be provided with a food preparation area, which includes:… (iv) a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. (40°F).”

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. Re-install all exterior unit doors and ensure the doors can be secured.
 - b. Disassemble and remove the bed and inform the tenant(s) that the bedroom next to the kitchen cannot be used for sleeping purposes.
 - c. Repair or replace the smoke alarm.
 - d. Have a licensed electrician repair or replace the circuit breakers in the electrical panel and restore electricity to the apartment unit. Submit a copy of an invoice for the repairs.
 - e. Repair or readjust settings on the heating system so that all rooms in the dwelling can maintain at least 22°C.
 - f. Repair or replace the refrigerator so that it can maintain a temperature of 4°C or below.
 - g. Repair or replace the stove.
2. The work referred to in paragraph 1 shall be completed by Oct 13, 2023.

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, Oct 6, 2023

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: <https://www.alberta.ca/public-health-appeal-board.aspx>

A Notice of Appeal form may be obtained by contacting the Public Health Appeal Board or visiting their website.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Health Legislation and regulations are available for purchase. Please contact Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Order of an Executive Officer

RE: Those premises located in Edmonton, Alberta and municipally described as: 202 – 7603 104 Street NW

Page 4 of 4

Edmonton • Environmental Public Health

Suite 700, 10055 106 Street NW, Edmonton, AB, Canada, T5J 2Y

<https://www.ahs.ca/eph>