

ORDER OF AN EXECUTIVE OFFICER UNFIT FOR HUMAN HABITATION

To: Laurie Pawluk
"the Owner"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
8108 – 135 avenue street Edmonton, Alberta

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. The majority of the flooring throughout the main floor had been removed exposing the plywood flooring.
- b. There was excessive wall damage due to water infiltration from the roof in the South West bedroom on the main floor.
- c. There was water damage on the ceiling in the living room due to water infiltration from the roof.
- d. There was wall damage throughout the home.
- e. Part of the brick siding on the front of the home was in disrepair. The brick had come away from the main structure allowing water infiltration in between the cladding and exterior wall.
- f. The kitchen was not equipped with a refrigeration unit and a stove.
- g. The bathroom on the main floor was not equipped with a toilet.
- h. The gas pipe line and the vent stack for the hot water tank was extremely rusted, causing a possible carbon monoxide issue.
- i. The bottom of the furnace and the hot water tank were rusted.
- j. There was no gas or water utilities to home.
- k. The brick archway on the gate that led to the back yard had broken through and was just resting in place. This was an injury hazard.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, the Minimum Housing and Health Standard exist in and about the above noted premises, namely:

- a. The majority of the flooring throughout the main floor had been removed exposing the plywood flooring which 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 and 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 and 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.
- b. There was excessive wall damage due to water infiltration from the roof in the South West bedroom on the main floor 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 and 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 and 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.
 - c. There was water damage on the ceiling in the living room due to water infiltration from the roof which is in contravention of section III of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition.
 - d. There was wall damage throughout the home which is 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.
 - e. Part of the brick siding on the front of the home was in disrepair. The brick had come away from the main structure allowing water infiltration in between the cladding and exterior wall which is 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. The kitchen was not equipped with a refrigeration unit and a stove which is in contravention of section IV(14)(a)(i) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: 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 Celsius.
 - g. The bathroom on the main floor was not equipped with a toilet which is in contravention of section IV(7) of the Minimum Housing and Health Standards which states that: Except where exempt by regulation, every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower.
 - h. The gas pipe line and the vent stack for the hot water tank was extremely rusted, causing a possible carbon monoxide issue which is 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.
 - i. The bottom of the furnace and the hot water tank were rusted which is 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 and section IV(8)(a)(i) 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 to a temperature of at least 22 degrees Celsius (71 Fahrenheit), or maintained at a temperature of at least 22 degrees Celsius (71 Fahrenheit) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.

- j. There was no gas or water utilities to home which is in contravention of section IV(9) of the Minimum Housing and Health Standards which states that: Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants and section IV(8)(d) of the Minimum Housing and Health Standards which states that: Every owner of a housing premises shall ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant.
- k. The brick archway on the gate that led to the back yard had broken through and was just resting in place. This was an injury hazard which is 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.

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 Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. You must retain the services of an **Environmental Consultant or Industrial/Occupational Health Hygienist, that must be approved by Alberta Health Services and prior to the commencement of renovation or repairs:**
 - (i) As this home was built prior to 1990, **the presence of asbestos within building materials is likely thus all precautions must be taken. The consultant *must* assess the conditions within the above noted premises including performing applicable sampling for asbestos containing materials**
 - (ii) In the event asbestos is present **provide Environmental Public Health with a written asbestos management/abatement plan in accordance with the Alberta Occupational Health and Safety Code for Asbestos abatement. Ensure proper removal/handling of impacted materials follow current codes and standards**
 - (iii) Then the environmental consultant will assess the conditions within the above noted premises for all water damaged materials and mould for the entire premises: to include the attic, wall and floor cavities, and crawlspaces. A full pre mould remediation inspection report is required. At a minimum the report must describe the building construction, finishes, materials and components and recommendations for restoration. All hazardous building materials are to be properly managed and disposed of in accordance with government standards and guidelines and industry codes of practice. Once

the materials have been removed, a post mould remediation report is required this will include photographic evidence that all moldy material has been removed. This report will include environmental air quality sampling for mold. **Testing and reporting shall follow the requirements outlined in Alberta Health Services' Fungal Air Testing Protocol**

- b. Retain the services of a professional qualified plumber to repair all main water lines into and in the premises. Ensure the premises is supplied with potable water. The qualified plumber must submit a written report to the Environmental Public Health Department with Alberta Health Services. Ensure the premises is supplied with potable water and ensure all plumbing fixtures are serviceable, free from leaks, trapped and vented to the outside.
- c. Retain the services of a qualified Heating, Ventilation and Air Conditioning professional with a gas ticket to assess the entire furnace system and all gas lines into the premises. Ensure the furnace system is repaired or replaced as required. The HVAC professional must submit a written report to the Environmental Public Health Department with Alberta Health Services. Ensure that all heating facilities within the premises are properly installed and maintained in good working condition, and be *capable* of safely and adequately heating all habitable rooms within the building.
- d. Hire a qualified professional with a gas ticket to replace the hot water tank and all the damaged and rusted venting ducts. The qualified professional must submit a written report to the Environmental Public Health Department with Alberta Health Services. Ensure that no condition in housing premises become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.
- e. Retain the services of a professional roofer to repair or replace roof. The roofer must submit a written report to the Environmental Public Health Department with Alberta Health Services. Ensure the roof and exterior cladding of walls are maintained in a waterproof, windproof and weatherproof condition.
- f. Repair all the damage walls and damaged floors throughout the premises. Ensure that all walls, and floor coverings are maintained in good repair, free of cracks, holes, loose and in a condition that renders it easy to clean.
- g. Repair all washrooms so they contain a flush toilet and a bathtub or shower. Ensure all walls and floors are smooth, non-absorbent to moisture and easy to clean. Ensure that all walls form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.
- h. Install a hand railing on the stairs leading to the basement. Ensure that the stairs are equipped with a hand railing and a guard. Ensure inside or outside stairs or porches including all treads, risers, supporting structural members, hand rails, guards and balconies, are maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.

- i. Repair the brick siding on the front of the home. Ensure that all the roof and exterior cladding is maintained in a waterproof, windproof and a weatherproof condition.
 - j. Equip the kitchen with functioning appliances. Ensure that the stove and the refrigerator are in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees Celsius.
 - k. Remove the brick archway on the gate that leads to the back yard. Ensure there is no conditions 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.
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 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 Edmonton, Alberta, May 15, 2018.

Confirmation of a verbal order issued to Laurie Pawluk on March 09, 2018.

_____(Original Signed)_____
Ingrid Bohac, 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, Telus Plaza 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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www.albertahealthservices.ca/eph.asp