

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

To: Erhan Gunaydin
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
**8323 190 Street NW
(Lot 6, Block 75, Plan 8220615)**

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:

COMMON AREA

- a. The smoke alarms were missing or not operational throughout the premises.
- b. There was multiple window screens missing or damaged throughout the premises.
- c. There was multiple window locks throughout the premise that were not operational.

TOP FLOOR

- d. The SE bedroom ceiling had exposed conduit protruding from the ceiling above the tub.
- e. The bathroom mechanical ventilation had poor suction.
- f. The bathroom hand sink caulking had detached and lifted.
- g. The NW bedroom door had detached.
- h. The bathroom bathtub tile surround showed evidence of water damaged and shows signs of mould. Tile surrounding the bathtub plumbing had lifted and detached.
- i. The SE bedroom window was measured at 16 by 28 inches. This does not comply with emergency egress requirements.
- j. The guard on the stairs leading to the top floor had a height of 32 inches.
- k. The guard was loose and had detached at the base.

MAIN FLOOR

- l. The SE bedroom transition strip at the entrance had lifted and detached.
- m. The SE bedroom hand sink caulking had lifted and detached.
- n. The kitchen cabinet drawers were damaged and tracks had detached.
- o. The SE bedroom ceiling above hand sink showed evidence of water damage.

- p. The rear entrance common area landing by back stairs shows signs of rot.
- q. The kitchen window casing showed evidence of water damage.
- r. The SE bedroom hand sink faucet was leaking.
- s. The kitchen sink was leaking.
- t. The dishwasher was leaking. The appliance was disconnected at the time of the inspection. There was evidence of water damage on the basement ceiling.
- u. The main floor guard spindles width was measured to have a spacing of 4.5 inches.
- v. The SE bedroom left window crank was broken.
- w. The SE bedroom right window openable unobstructed area was measured at 12 by 10 inches (scissor brackets impedes egress).
- x. The living room window pane was broken.

BASEMENT

- y. The bathroom light fixture had detached.
- z. There was no mechanical ventilation installed in bathroom.
- aa. The SW bedroom light fixture had lifted and detached.
- bb. The shower surround had lifted and detached.
- cc. The south bedroom ceiling and drywall showed signs of water damage and mold
- dd. The hand sink in the bathroom was not operational.
- ee. The guard leading the basement was missing.
- ff. The no handrail leading to the basement from the main floor.
- gg. The SW bedroom entrance had a HSAP lock installed.
- hh. The SW bedroom window openable area was measured at 14 by 12 inches. This does not comply with emergency egress requirement.
- ii. The south bedroom entrance had a HSAP lock installed.
- jj. The south bedroom window openable area was measured at 14 by 12 inches. This does not comply with emergency egress requirements.
- kk. The stairs leading to the back entrance were loose and not structurally sound.
- ll. There was no handrail on the back stairs leading to the basement.
- mm. The SE bedroom window did not comply with emergency egress requirements, Window was unaccusable at the time of the site visit, possible measurement (14 by 12 inches).

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 (g, h, l, o, p, q, cc and kk) were 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.
- b. Item (x) was in contravention of section III(2)(b)(i) of the Minimum Housing and Health Standards which states that: All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- c. Item (b) was 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.

- d. Item (c) was in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
- e. Items (i, w, hh, jj and mm) were 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”).
- f. Item (v) was in contravention of section III(3)(b)(ii) of the Minimum Housing and Health Standards which states that: If the window referred above is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge.
- g. Items (j, k, u, ee, ff and ll) were 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.
- h. Items (f and n) were 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. Items (m and bb) were 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.
- j. Items (r, s, t and dd) were in contravention of section IV(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.
- k. Items (e and z) were in contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
- l. Items (d, y and aa) were 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.
- m. Item (a) was in contravention of section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.
- n. Items (gg and ii) were 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.

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 **August 1, 2022**.
2. That the Owner immediately 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:** As this building was built prior to 1990, the presence of asbestos within building materials is likely thus all precautions must be taken. Ensure proper removal/handling of impacted materials following current codes and standards. The consultant *must* assess the conditions within the above noted premises including performing applicable sampling for asbestos containing materials.
 - i. 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. **If water damaged building material has already been removed prior to testing, ensure an aggressive asbestos air quality test is performed. All test results are to be submitted to Alberta Health Services Environmental Public Health for review.**
 - ii. Then the environmental consultant will assess the conditions within the above noted premises for all water damaged materials and mould in the bathroom and any other affected areas. 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 and a post mould remediation report is required this will include environmental air quality sampling and photographic evidence that all mouldy material has been. **Testing and reporting shall follow the requirements outlined in Alberta Health Services' Fungal Air Testing Protocol.**
 - b. After completing all asbestos requirements as indicated in section (a). Remove and replace all water damaged building and moulded material in/around the:
 - i. The bathroom tub surround.

- ii. The main floor southeast bedroom ceiling.
 - iii. The kitchen window casing.
 - iv. The basement south bedroom ceiling.
 - c. Ensure all smoke alarms are installed in or by all bedrooms and are all operational.
 - d. Ensure all exterior window screens throughout the premises are installed, good repair and are fitted to the opening (complete seal to prevent possible pest infestation).
 - e. Ensure all exterior doors and windows have a lock that is operational.
 - f. Repair or replace the light fixtures in
 - i. The top floor southeast bedroom.
 - ii. The basement bathroom.
 - iii. The basement southwest bedroom.
 - g. Repair or replace the top floor bathroom ventilation. Ensure the mechanical ventilation is in good repair and operational.
 - h. Install a mechanical ventilation or window in the basement bathroom.
 - i. Ensure all surfaces throughout the premises is smooth, impervious to moisture, durable and easily cleanable.
 - j. Repair or replace the following plumbing concerns:
 - i. The main floor southeast bedroom hand sink.
 - ii. The kitchen sink.
 - iii. The kitchen dishwasher.
 - iv. The basement bathroom hand sink.
 - k. Ensure all bedroom windows comply with emergency egress requirements in the following:
 - i. The top floor southeast bedroom.
 - ii. The main floor bedroom.
 - iii. The basement southwest bedroom.
 - iv. The basement south bedroom.
 - v. The basement southeast bedroom.
 - l. Repair the broken living room windowpane.
 - m. Remove the HSAP locks on the entrance of both the basement southwest and south bedrooms.
 - n. Ensure all inside or outside stairs or porches including all treads, risers, supporting structural members, rails, guards and balconies, are maintained in good repair and comply with the requirements of the Alberta Building Code.
- 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, July 11, 2022.

Confirmation of a verbal order issued to Erhan Gunaydin on June 20, 2022.

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 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 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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>