

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

To: Richard Mbreyeh Quartey
"the owner"

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

RE: **Plan 3176KS; Block 1; Lot 62**
Municipally known as **Basement Suite, 8526 – 149 Street 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 was no handrail for the basement stairs.
- b. There was no operational smoke alarm in the basement suite.
- c. The basement bedroom windows had security bars which could not be easily opened in case of an emergency.
- d. The basement bedroom window openings were too small for emergency egress. The size of the opening was measured at approximately 40" X 14".
- e. The exterior window pane of the basement bedroom windows could not be easily opened in case of an emergency.
- f. There was no working mechanical ventilation or natural ventilation available in the basement washroom.
- g. The drop ceiling panels, above the entrance to the basement kitchen, were water stained.

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. There was no handrail for the basement stairs, which is a 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.
- b. There was no operational smoke alarm in the basement suite, which is a 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.

- c. The basement bedroom windows had security bars which could not be easily opened in case of an emergency, which is a 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.
- d. The basement bedroom window openings were too small for emergency egress with an opening size of approximately 40" X 14", which is a 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").
- e. The exterior window pane of the basement bedroom windows could not be easily opened in case of an emergency, which is a contravention of section III(3)(b) of the Minimum Housing and Health Standards which states that: 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.
- f. There was no working mechanical ventilation or natural ventilation available in the basement washroom, which is a 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.
- g. The drop ceiling panels, above the entrance to the basement kitchen, were water stained, which is a 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 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 immediately.
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Secure the basement to occupancy.
 - b. Ensure that the basement does not have any occupancy or sleeping at any time.
 - c. Install a handrail for the basement stairs 32 to 36 inches above the tread nosing (the front or leading edge of the stair tread). The handrail is to be continuous throughout the length of the stair. Ensure handrail complies with the current Alberta Building Code.
 - d. Repair or replace smoke alarms. Ensure operational smoke alarms are installed between the sleeping areas and the rest of the premises.

- e. Remove the existing bedroom window security bars or replace them with security bars that are fitted with a Release Mechanism and can be opened from the inside without the use of any tools or special knowledge.
 - f. Provide proper egress windows or install an approved sprinkler system, in accordance with building code and permit requirements.
 - g. Where not practical, or possible, to install a window to the exterior of the building, decommission the room so that it is not used for sleeping.
 - h. Repair or replace defective components or install proper equipment to ensure that there is proper ventilation in the basement bathroom, in accordance with the current Alberta Building Code and permit requirements.
 - i. Repair or replace water damaged ceiling materials in the basement kitchen hallway ceiling, in accordance with the Alberta Building Code and permit requirements.
 - j. Investigate and correct the source of water infiltration on the basement ceiling.
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, April 22nd, 2015.

Confirmation of a verbal order issued to Richard Mbreyeh Quartey on April 21st, 2015.

_____(Original Signed)_____
Susana Roqara, 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 Reception, Main Floor. Telus Plaza, 10025 Jasper Avenue, Edmonton, Alberta, T5J 1S6, Telephone 780-427-2813 Fax 780-422-0914.

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.

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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