

ORDER OF AN EXECUTIVE OFFICER

To: William Zaparniuk (Zapernick)
"the Owner"

Darrell Zapernick
"the Owner"

Patti Bligh
"the Owner"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
9113 Ottewell Road 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. The temperatures of the house measured between 11- 16 C. The thermostat on the main floor appeared to be broken. An ATCO report dated for Jan 20, 2025, indicated that the furnace is "Unsatisfactory".
- b. No smoke alarms were installed in the hallway by the bedrooms of the main floor or basement.
- c. Many windows could not be secured because the locks were broken or missing.

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. The temperatures of the house measured between 11- 16 C. The thermostat on the main floor appeared to be broken. An ATCO report dated for Jan 20, 2025, indicated that the furnace is "Unsatisfactory". This is in contravention of Section 8(a) 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; (i) at least 22°C(71°F), or"
- b. No smoke alarms were installed in the hallway by the bedrooms of the main floor or basement. This is in contravention of Section 12 of the Minimum Housing and Health Standards, which states that "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."
- c. Many windows could not be secured because the locks were broken or missing. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards, which states that "Exterior windows and doors shall be capable of being secured"

- d. There is a mold-like substance around the bathtub wall and ceiling. This is in contravention of Section 5(2) of the Housing Regulation, 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. The windows and exterior doors are in disrepair. The living room and northeast bedroom windows are cracked. The northeast window in the basement is missing and covered up with plywood. There is a hole in the side door. The weatherstripping on the front door is peeling off. This is in contravention of Section 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."
- f. The southeast window in the basement is missing a pane/ a storm sash. This is in contravention of Section 2(b)(ii) of the Minimum Housing and Health Standards, which states that "In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer."
- g. The kitchen plumbing and the metal pipe above the basement laundry machine are leaking. This is in contravention of Section 6(a) and (c) of the Minimum Housing and Health Standards, which states that "The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition." and "All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside."
- h. There are signs of water infiltration on the living room wall. The living room window's trims are starting to rot. A moisture level of 90% moisture was previously measured under the window during the initial inspection. This is in contravention of Section 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 oven door is damaged and held together with duct tape. This is in contravention of Section 14(iv) of the Minimum Housing and Health Standards, which states that "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)."
- j. Parts of the bathroom sink are rusting. This is in contravention of Section 5(2) of the Housing Regulation, 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."
- k. The finishings in the home are not in good repair including the north bedroom's walls and ceiling and the bathroom wall and floor. This is in contravention of Section 5 and 5(a) 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 "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."

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. Repair or replace the heating system so that all habitable rooms, bathrooms, and toilet rooms can maintain a temperature of at least 22°C.
 - b. Install smoke alarms in the hallways of the sleeping areas.
 - c. Repair the windows so they are capable of being secured.
 - d. Clean all moldy surfaces. If it cannot be cleaned, remove all moldy materials and replace with new materials.
 - e. Repair or replace the windows and the exterior doors.
 - f. Replace the window with a double-glazed window or install a storm sash or other durable thermal/ air resistant barrier as may be approved by the Executive officer
 - g. Repair the kitchen plumbing and the metal pipe above the laundry machine
 - h. Investigate into the cause of water infiltration in the living room and the extent of water damaged and/or mold contaminated materials. Repair the cause of water infiltration. Remove all water damaged and moldy materials and replace with new materials.
 - i. Repair the oven door.
 - j. Repair the bathroom sink.
 - k. Repair the bedroom walls and ceiling and the bathroom flooring and wall.
2. The work referred to in paragraph 1(a) – (c) shall be completed by Feb 13, 2025.
The work referred to in paragraph 1(d) – (k) shall be completed by March 8, 2025.

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, Feb 6, 2025

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>

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