

**ORDER OF AN EXECUTIVE OFFICER
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE**

To: Yolanda Brown
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
922 Abbotsfield Road

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 entire ceiling in the living room had been removed exposing the insulation and ceiling studs. New sheets of unfinished drywall had been re-installed for approximately a quarter of the ceiling.
- b. One wall in the living room and the hallway located on the main floor had been removed exposing the studs and electrical wiring.
- c. Part of a wall had been removed behind the bedroom door exposing the wooden studs and plumbing for the upstairs bathroom.
- d. The light fixture for the living room was hanging by the electrical wires.
- e. There were numerous areas of damaged or unfinished drywall through out the premises.
- f. The ceiling fan for the bathroom on the main floor was missing the cover.
- g. Several of floor tiles in the living room and up stairs were cracked and chipped with pieces of the tile missing.
- h. Numerous electrical outlet and light switch covers were missing throughout the premises.
- i. A large amount of baseboards were missing through out the premise.
- j. The trim around the living room window was missing exposing the foam insulation; this surface can not be easily cleaned.
- k. Numerous heating vent covers were missing through out the premises.
- l. The internal temperature of the refrigeration and freezer unit in the kitchen was taken and found to be 23 degrees Celsius.
- m. The internal temperature was taken of the refrigeration unit in the furnace room and it was found to be 14 degrees Celsius.
- n. Numerous kitchen drawers and cupboards were in disrepair; shelving was not mounted properly, missing cupboards doors, unfinished edging on counters and cupboards and a vertical cupboard panel where the dishwasher had been installed was missing.
- o. There was evidence of a mouse infestation, as feces was seen in between the stove and the counter.

- p. A visible amount of mould was seen where the baseboards had been removed along the bottom half of the south kitchen wall.
- q. The laminate flooring by the stairs was lifting.
- r. No smoke alarm in the premises.
- s. The stairs leading to the main floor did not have a continuous hand railing
- t. The casing and door jamb for the main entrance door have been damaged; the wood was splintered, cracked and chipped.
- u. The drywall was missing for the ceiling over the stairs leading to the second floor.

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 entire ceiling in the living room had been removed exposing the insulation and ceiling studs. New sheets of unfinished drywall had been re-installed for approximately a quarter of the ceiling 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.
- b. One wall in the living room and the hallway located on the main floor had been removed exposing the studs and electrical wiring 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.
- c. Part of a wall had been removed behind the bedroom door exposing the wooden studs and plumbing for the upstairs bathroom 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.
- d. The light fixture for the living room was hanging by the electrical wires which is 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.
- e. There were numerous areas of damaged or unfinished drywall through out the premises 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.
- f. The ceiling fan for the bathroom on the main floor was missing the cover which is in contravention of which is in contravention of Housing Regulation section 5(2) 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
- g. Several of floor tiles in the living room and up stairs were cracked and chipped with pieces of the tile missing 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

- h. Numerous electrical outlet and light switch covers were missing throughout the premises which is 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.
- i. A large amount of baseboards were missing through out the premise 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.
- j. The trim around the living room window was missing exposing the foam insulation; this surface can not be easily cleaned 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.
- k. Numerous heating vent covers were missing through out the premises which is in contravention of Housing Regulation section 5(2) 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.
- l. The internal temperature of the refrigeration and freezer unit in the kitchen was taken and found to be 23 degrees Celsius 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 C.
- m. The internal temperature was taken of the refrigeration unit in the furnace room and it was found to be 14 degrees Celsius 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 C.
- n. Numerous kitchen drawers and cupboards were in disrepair; shelving was not mounted properly, missing cupboards doors, unfinished edging on counters and cupboards and a vertical cupboard panel where the dishwasher had been installed was missing which is in contravention of section IV(14)(a)(ii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: cupboards or other facilities suitable for the storage of food .
- o. There was evidence of a mouse infestation, as feces was seen in between the stove and the counter which is in contravention of section V(16) of the Minimum Housing and Health Standards which states that: The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition
- p. A visible amount of mould was seen where the baseboards had been removed along the bottom half of the south kitchen wall which is in contravention of Housing Regulation section 5(2) 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.
- q. The laminate flooring by the stairs was lifting 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.
- r. No smoke alarm in the premises which is 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.
 - s. The stairs leading to the main floor did not have a continuous hand railing which is 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, hand 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
 - t. The casing and door jamb for the main entrance door have been damaged; the wood was splintered, cracked and chipped which is 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 weather proofed
 - u. The drywall was missing for the ceiling over the stairs leading to the second floor 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 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 occupants vacate the above noted premises on or before June 15, 2017.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. As this home was built prior to 1990 you must retain the services of an **Environmental Consultant or Industrial/Occupational Health Hygienist, be approved by Alberta Health Services and prior to any renovations being completed you must have the Environmental Consultant** assess the conditions within the above noted premises including performing applicable sampling for asbestos containing materials. This testing must be performed prior to the commencement of repairs. Since there has been a large amount of drywall that has been already removed and or repaired Aggressive Asbestos Air sampling in accordance with the Alberta Asbestos Abatement Manual will be required in the area to ensure that there are no asbestos fibres in the air.
 - b. In the event that 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.**
 - c. Once the above work is completed have the environmental consultant assess the conditions within the above noted premises for all water damaged materials and mould, the assessment is to include the entire premises including 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 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.**

- d. Install a cover for the bathroom fan on the main floor.
- e. Ensure that all heating and return air vents have suitable register cover.
- f. Repair or replace all kitchen cupboards that are in disrepair. Ensure that they are in good repair, and that all surfaces have a washable service.
- g. Supply a functioning refrigeration and freezer unit. Ensure that the refrigerator is capable of maintaining a temperature of 4 degrees Celsius and ensure that all appliances are maintained in a safe and proper operating condition.
- h. Install a functioning smoke alarm upstairs by the bedrooms. Ensure that the housing premise is supplied with a functioning smoke alarm that is installed in the hallway outside the bedrooms at all times.
- i. Repair or replace the casing and the door jamb for the front entrance door. Ensure that all doors and windows are in good repair, free of cracks and weatherproofed.
- j. Install a continuous hand railing for the stairs leading to the main floor. Ensure that all hand railings comply with the Alberta Building code.
- k. Ensure there is a functional smoke alarm system or smoke alarms installed on the ceiling outside the suites as per the current Alberta Fire Code and mount the fire extinguisher on the wall.
- l. Repair or replace all the damaged flooring and floor tiles. Ensure all walls, windows, ceilings, floors, and floor coverings are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
- m. Repair and finish all unfinished areas of drywall. Ensure all walls, windows, ceilings, floors, and floor coverings are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
- n. Install drywall in all areas where it is missing and install all missing baseboards. Ensure all walls, windows, ceilings, floors, and floor coverings are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.

- o. Install the missing trim around the living room window. Ensure all walls, windows, ceilings, floors, and floor coverings are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean
 - p. Install proper electrical plate covers for all electrical outlets. Ensure that all outlets, switches and fixtures are properly installed and are maintained in a good and safe working condition.
 - q. Repair the light fixture in the living room. Ensure that all outlets, switches and fixtures are properly installed and are maintained in a good and safe working condition.
 - r. Take any further steps in the interests of preserving and maintaining the health of any person who may, in the future, occupy the above noted premises as may be required by the Executive Officer.
 - s. Hire a licensed Pest Control Operator to inspect and treat for mice as required by the licensed pest control operator. **Provide copies of pest control reports to this office.** Implement a integrated pest control management program (IPM). This is to include the chemical and physical pest control treatment as required by the licensed pest control operator. IPM is to include continual monitoring and treatment until all pests have been eradicated.
 - t. Take any further steps in the interests of preserving and maintaining the health of any person who may, in the future, occupy the above noted premises as may be required by the Executive Officer.
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 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, 29 May 2017

__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

Template revised December 13, 2016

Your City • Your Site • Your Regional Program

Address 1, Address 2 and City, Province, CanadaXXX XXX

www.albertahealthservices.ca/eph.asp