

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

To: Aaron Grey
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
9618 106A Avenue NW Edmonton, Alberta T5H 0T2

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 smoke alarm within the basement suite was not in operation at the time of inspection.
- b. The smoke alarm within the upstairs suite was not secured to the mount.
- c. The windows throughout the upstairs and basement suites of the home were cracked and broken. Several of the windows had been boarded over.
- d. There was exposed wiring present throughout the upstairs suite, basement suite, along the front of the garage, and on the exterior of the home (to the right of the front door to the upstairs suite).
- e. Many of the outlets throughout the upstairs and basement suites did not have plate covers present.
- f. The light fixtures in the upstairs and basement suites were not secured to the mounts.
- g. There was visible, surface mold present along the wall in the basement suite closet (located on the other side of the wall of the basement bathroom).
- h. The surface of the kitchen counter in the basement suite was damaged. As a result, the surface was no longer smooth and easy to clean.
- i. The kitchen cupboards in the upstairs and basement suites were in disrepair. Many of the doors of the cupboards were missing.
- j. Many of the finishes throughout the upstairs suite, basement suite, and common areas were damaged, including: the flooring within the basement suite kitchen/living room/washroom, the walls throughout the basement suite, the casing around the doors of the basement suite, the baseboards throughout the basement suite (many of which were missing), the flooring within the upstairs kitchen/washroom/living room/hallway, the walls throughout the upstairs suite, the baseboards throughout the upstairs suite (many of which were missing), the trim around the upstairs bathroom door frame, the trim around the external side door, and the walls throughout the hallway leading from the upstairs suite to the basement suite.

- k. A live cockroach was observed within the bathroom of the basement suite.
- l. The faucet of the shower handle in the basement bathroom was missing. Furthermore, the basement bathroom sink was not in proper, operating condition.
- m. The glass stovetop within the upstairs suite was cracked and broken.
- n. The faucet in the upstairs kitchen was leaking at the time of inspection.
- o. The doors to the bedrooms in the upstairs suite were cracked and broken.
- p. The mechanical ventilation fan in the upstairs washroom was not in operation. Furthermore, the fan was missing a protective cover.
- q. The water connection to the washing machine (located outside of the basement suite) was leaking at the time of inspection.
- r. One of the steps along the exterior stairs leading to the upstairs suite was broken at the time of inspection.
- s. One of spindles along the guard rail connected to the deck was broken (as a result, there was a gap greater than 4 inches present along the guardrail).
- t. The exterior cladding of the home was in disrepair in a number of places.

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 smoke alarm within the basement suite was not in operation at the time of inspection. 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. (a) Smoke alarms shall be operational and in good repair at all times.”*
- b. The smoke alarm within the upstairs suite was not secured to the mount. This is in contravention of Section 12(a) of the Minimum Housing and Health Standards, which states that *“(a) Smoke alarms shall be operational and in good repair at all times.”*
- c. The windows throughout the upstairs and basement suites of the home were cracked and broken. Several of the windows had been boarded over. 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.”*
- d. There was exposed wiring present throughout the upstairs suite, basement suite, along the front of the garage, and on the exterior of the home (to the right of the front door to the upstairs suite). This is in contravention of Section 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. Many of the outlets throughout the upstairs and basement suites did not have plate covers present. This is in contravention of Section 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.”*
- f. The light fixtures in the upstairs and basement suites were not secured to the mounts. This is in contravention of Section 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.”*

- g. There was visible, surface mold present along the wall in the basement suite closet (located on the other side of the wall of the basement bathroom). This is in contravention of Section
- h. The surface of the kitchen counter in the basement suite was damaged. As a result, the surface was no longer smooth and easy to clean. This is in contravention of Section 14(a)(iii) of the Minimum Housing and Health Standards, which states that *“a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.”*
- i. The kitchen cupboards in the upstairs and basement suites were in disrepair. Many of the doors of the cupboards were missing. This is in contravention of Section 14(a)(ii) of the Minimum Housing and Health Standards, which states that *“cupboards or other facilities suitable for the storage of food.”*
- j. Many of the finishes throughout the upstairs suite, basement suite, and common areas were damaged, including: the flooring within the basement suite kitchen/living room/washroom, the walls throughout the basement suite, the casing around the doors of the basement suite, the baseboards throughout the basement suite (many of which were missing), the flooring within the upstairs kitchen/washroom/living room/hallway, the walls throughout the upstairs suite, the baseboards throughout the upstairs suite (many of which were missing), the trim around the upstairs bathroom door frame, the trim around the external side door, and the walls throughout the hallway leading from the upstairs suite to the basement suite. This is in contravention of Section 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. (a) 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. (b) 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.”*
- k. A live cockroach was observed within the bathroom of the basement suite. This is in contravention of Section 16(a) of the Minimum Housing and Health Standards, which states that *“The owner shall ensure that the housing premises are free of insect and rodent infestations”*.
- l. The faucet of the shower handle in the basement bathroom was missing. Furthermore, the basement bathroom sink was not in proper, operating condition. This is in contravention of Section 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.”*
- m. The glass stovetop within the upstairs suite was cracked and broken. This is in contravention of Section 14(a)(iv) of the Minimum Housing and Health Standards, which states that *“Every housing premises shall be provided with a food preparation area, which includes:...(iv) 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).”*
- n. The faucet in the upstairs kitchen was leaking at the time of inspection. This is in contravention of Section 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.”*
- o. The doors to the bedrooms in the upstairs suite were cracked and broken. 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.”*

- p. The mechanical ventilation fan in the upstairs washroom was not in operation. Furthermore, the fan was missing a protective cover. This is in contravention of Section 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.”*
- q. The water connection to the washing machine (located outside of the basement suite) was leaking at the time of inspection. Section 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.”*
- r. One of the steps along the exterior stairs leading to the upstairs suite was broken at the time of inspection. This is in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards, which states that *“Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, 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.”*
- s. One of spindles along the guard rail connected to the deck was broken (as a result, there was a gap greater than 4 inches present along the guardrail). This is in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards, which states that *“Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, 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 exterior cladding of the home was in disrepair in a number of places. This is in contravention of Section 2(a) of the Minimum Housing and Health Standards, which states that *“The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”*

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 July 21, 2023.
2. That the Owner diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Repair/replace the smoke alarms in the upstairs and basement suites. Ensure the smoke alarms are maintained in proper, operating condition.
 - b. Replace the cracked and broken windows throughout the upstairs and basement suites.
 - c. Repair the electrical system and light fixtures in the home to ensure there are no exposed wires and that all outlets/light switches are fitted with a backplate.
 - d. Abate the source of the leak in the basement bathroom. Remove all visible surface mold in the adjacent closet space.
 - e. Repair/replace the kitchen counter in the basement to ensure it is: smooth, impervious to moisture, and easy to clean.
 - f. Repair/replace the kitchen cabinets in the upstairs and basement kitchens.
 - g. Repair the damaged finishes outlined in Section (j) above.
 - h. Replace the missing faucet handle of the basement bathroom shower.

- i. Repair the sink in the basement washroom to ensure it is in proper, operating condition.
 - j. Replace the broken glass stovetop in the upstairs kitchen.
 - k. Repair the leaking faucet in the upstairs kitchen.
 - l. Replace the damaged and broken doors of the upstairs bedrooms.
 - m. Repair the mechanical ventilation fan in the upstairs washroom. Replace the missing cover for the fan.
 - n. Repair the water connection to the washing machine (to ensure it is no longer leaking).
 - o. Replace the missing step and spindle along the exterior stairs and guardrail system.
 - p. Repair the exterior cladding of the home to ensure it is waterproof, windproof, and weatherproof.
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, June 21, 2023.

Confirmation of a verbal order issued to Aaron Grey on June 19, 2023.

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 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>

Template revised October 13, 2022

Edmonton • 106 Street Tower • Environmental Public Health

700, 10055 106 Street NW, Edmonton, Alberta, Canada T5J 2Y2

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