

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

**To:** Moi Moi Kho  
"the Owner"

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
9625 – 101 Street 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. There was an overpowering smell of mould in the basement. The smell was very strong in the laundry area.
- b. The downstairs washroom smelled very strongly of mould. Mould was observed in the shower tiles and on the walls.
- c. The flooring in the downstairs washroom was broken and lifting.
- d. Baseboards were missing behind the toilet in the downstairs washroom.
- e. The light fixture in the laundry area was corroded and did not appear safe.
- f. An electrical plate cover was missing on the light switch in the laundry area.
- g. There was no hand rail on the stairs leading to the basement
- h. Several windows throughout the house did not have locks and were not secure.
- i. The living room window insect screen was in disrepair.
- j. The handrail on the staircase leading upstairs was too short and measured at 29 inches.
- k. The handrail on the staircase and the guard rail on the second level had spindles that were greater than 4 inches wide.
- l. The upstairs bathtub finishing was in disrepair.
- m. The upstairs bathtub faucet was leaking.
- n. The bathroom cabinet fell off the wall and nails were sticking out of the wall where it had been located.
- o. The upstairs east bedroom window frame was peeling.
- p. The carpet between the east bedroom and the hallway was torn and in disrepair.
- q. An electrical socket in the east bedroom was in disrepair.
- r. The upstairs smoke detector was not working.
- s. Two of the kitchen stove handles had broken off so the respective stove elements could not be turned on.
- t. The kitchen flooring was torn and in disrepair.
- u. The wall finishes throughout the home were chipped and peeling.
- v. The back screen door did not open due to the concrete sidewalk being raised.

- w. The front screen door was in disrepair.

**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. Violations [a] and [b] were in contravention of section 1(c) of the Minimum Housing and Health Standards that states: “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced”.
- b. Violations [c] , [d], [l], and [n] were in contravention of section 5(c) of the Minimum Housing and Health Standards that states: “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”.
- c. Violations [e], [f], and [q] were in contravention of section 11 of the Minimum Housing and Health Standards that states: “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”.
- d. Violations [g], [j], and [k] were in contravention of section 3(c)(i) of the Minimum Housing and Health Standards that states: “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”.
- e. Violation [h] was in contravention of section 3(a) of the Minimum Housing and Health Standards states that: “Exterior windows and doors shall be capable of being secured.”
- f. Violation [i] was in contravention of section 2(b)(iii) of the Minimum Housing and Health Standards that states: “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”.
- g. Violation [m] is in contravention of section 6(c) of the Minimum Housing and Health Standards that that states: “All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”
- h. Violation [o], [p], and [u] were in contravention of section 5 of the Minimum Housing and Health Standards that states: “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. Violation [r] was in contravention of section 12(a) of the Minimum Housing and Health Standards that states: “Smoke alarms shall be operational and in good repair at all times”.
- j. Violation [s] was in contravention of section 14(a)(iv) of the Minimum Housing and Health Standards that states: “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”.
- k. Violation [t] was in contravention of section 5(b) of the Minimum Housing and Health Standards that states: “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”.

- I. Violations [v] and [w] were in contravention of section 2(b)(i) of the Minimum Housing and Health Standards: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”

**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 February 1<sup>st</sup>, 2018.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Investigate the source of moisture and mould growth in the basement and basement washroom. 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**:
    - (i) As this home 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.**
    - (ii) 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**
    - (iii) Then the environmental consultant will assess the conditions within the above noted premises for all water damaged materials and mould including 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.**
  - b. Repair or replace the bathroom flooring so that it is smooth, non-absorbent to moisture and easy to clean.

- c. Replace the baseboards in the washroom so that the walls and the floor form a watertight joint with each other.
  - d. Repair or replace the light fixture in the laundry area. Ensure all electrical fixtures are properly installed and maintained in a good and safe working condition.
  - e. Replace the electrical plate cover on the light switch in the laundry area.
  - f. Install a handrail on the staircase leading to the basement so that it measures 32 to 38 inches above the tread nosing (the front or leading edge of the stair tread) and is in compliance with the requirements of the Alberta Building Code.
  - g. Ensure all windows are capable of being secured.
  - h. Replace the insect screen on the living room window. Ensure all openable windows have effective insect screens.
  - i. Replace or modify the handrail on the upstairs staircase so that it measures 32 to 38 inches above the tread nosing (the front or leading edge of the stair tread) and is in compliance with the requirements of the Alberta Building Code.
  - j. Replace the broken spindle on the handrail on the upstairs staircase.
  - k. Replace or modify the handrail on the upstairs staircase and the upstairs guard rail so that the spindle width is 4 inches or less and is in compliance with the requirements of the Alberta Building Code.
  - l. Refinish or replace the upstairs bath tub so that it is smooth and cleanable.
  - m. Repair the bath tub faucet so that it does not leak.
  - n. Remove or replace the remaining bathroom cabinet materials on the wall, including the nails, so that the area does not pose a safety hazard.
  - o. Refinish the window frame in the east bedroom so that it is rendered easy to clean.
  - p. Repair or replace the carpet in the upstairs hallway so that it is in good repair and rendered easy to clean.
  - q. Repair or replace the electrical socket in the east bedroom so that it is in a good and safe working condition.
  - r. Ensure the upstairs smoke alarm is functional.
  - s. Repair or replace the stove handles so that the stove is in proper working condition.
  - t. Repair the kitchen floor so that it is constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
  - u. Repair or replace the concrete sidewalk in the backyard so that the back screen door is capable of opening in case of emergency egress.
  - v. Repair or replace the front screen door so that it is in good repair.
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, January 15, 2018  
Confirmation of a verbal order issued to Moi Moi Kho on January 9, 2018.

\_\_\_\_\_ (Original Signed) \_\_\_\_\_

Leah Danyluk, 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 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](mailto: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](http://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](http://www.health.alberta.ca/about/health-legislation.html)