

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

To: The Owner(s)
Jennifer Korchinski (owner)
Jerry Korchinski (owner)

Chris Engelman (representative/agent)

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

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

Basement - 9756 81 Avenue NW, Edmonton, Alberta, T6E 1W2

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:

1. Area around the SE bedroom doorframe was not finished.
Some finish between the floor and the wall was missing in the suite such as in the kitchen.
2. Insufficient openable area of the NE bedroom vertical slider window measured 24 inches in width by 12.5 inches in height =300 square inches.
3. Insufficient openable area of the SE bedroom vertical slider window measured 24 inches in width by 13.5 inches in height =324 square inches
4. 1) Paint was peeling from the bathroom ceiling vent.
2) The west bathroom (containing a shower) windowsill was not all smooth and easily cleanable.
5. 1) The west bathroom (containing a shower) insect screen was ripped.
2) A rip was noted on the insect screen in the NE bedroom.
6. There were unfinished walls and baseboards in the laundry room.
7. 1) GFCI protection was missing on 2 outlets nearby the in the east kitchen sink.
2) GFCI protection was missing on 2 outlets nearby the in the NW kitchen sink.
3) GFCI outlet was missing in the NW bathroom.
8. Light switch cover plate was missing in the SE bedroom, and SW bathroom.
9. Electrical outlet cover was missing in different areas such as wall in south common area and in the SE bedroom.

10. Transition between the floor and the wall was missing in some areas (e.g. the walls around the toilet in the SW bathroom).
11.
 - 1) Flooring outside the NE bedroom was lifting.
 - 2) The floor transition was missing between the north flooring near the NE bedroom and beige flooring.
 - 3) Flooring transitions were missing in some areas of the suite such as the floor at the door transition between the SE bedroom and the south common area.
12. The temperature in the south common area measured 21C in the SE bedroom, and 19C in the NE bedroom and 21C in the SE common area. The temperature outside was 10C. The infrared heater in the SE bedroom was just plugged in at the time of the inspection.

Ceramic wall mounted Infrared heaters were installed in the SE bedroom, south common area, and NE bedroom. These devices do not appear as an approved product for a primary heating appliance. They appear to be a decorative appliance not intended for continuous use. They do not carry a UL safety listing nor a CSA listing as a heating appliance. The specifications indicate they do not have auto shut off, are not thermostatically controlled and have only one heat setting with no Energy Efficiency rating.

Based on the information found this appears not to be acceptable as a heating appliance. It can be used as supplemental space heating where the heat losses for that space are satisfied by an alternate approved heating appliance. Should you require more information, please contact the city's safety codes permits and inspections department at 311.

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:

1. All walls and ceilings are not maintained in good repair, free of cracks, holes and in a condition that renders it easy to clean. 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. Minimum Housing and Health Standards s 5
2. Unacceptable bedroom window size identified. Windows shall provide unobstructed openings with areas not less than 0.35 square metres (3.8 sq. ft.) with no dimension less than 380 mm (15 inches). Minimum Housing and Health Standards s 3(b)(ii)
Minimum Dimensions (inches) (Note: total window area may need to be larger to achieve an opening that meets minimum dimension requirements)

Width(inches)	Height(inches)	Width(cm)	Height(cm)
15	36.5	38.1	91.9
16	34.2	40	87.5
17	32.2	43	81.4
18	30.4	45	77.8
19	28.8	48	73.1
20	27.7	50	70
21	26.1	53	66.1
22	24.9	55	63.7
23	23.8	58	60.4
24	22.8	60	58.4
25	21.9	63	55.6
26	21.1	66	53.1
27	20.3	68	51.5
28	19.6	71	49.3

29	18.9	73	48
30	18.3	76	46.1
31	17.7	78	44.9
32	17.1	81	43.2
33	16.6	83	42.2
34	16.1	86	40.7
35	15.7	88	39.8
36	15.2	91	38.5

Please ensure that the window has an unobstructed path of emergency egress to the exterior.

3. The insect screen is ineffective. 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. Minimum Housing and Health Standards s 2(b)(iii)
4. Walls in the wash / bathroom are not smooth, non-absorbent to moisture and easy to clean. 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. Minimum Housing and Health Standards s 5(a)
5. Electrical fixtures are not being maintained in good and safe working condition. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition. Minimum Housing and Health Standards s 11. Please ensure GFCI protection for outlets located in the bathroom, and for outlets located within 1.5 meters.
6. Switch plates or electrical outlet covers are missing or damaged. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition. Minimum Housing and Health Standards s 11
7. Floors are not smooth, non-absorbent to moisture and easy to clean. 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. Minimum Housing and Health Standards s 5(a)
8. The heating facilities within the housing premises are not capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms. All heating facilities within a housing premises must 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 (i) [sic] maintained at a temperature of at least 22°C (71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant. (b) When the outside temperature is colder than the winter design temperature as referenced in the Alberta Building Code(97) Section 2.2.1.1 and Appendix C, then the Executive Officer may permit an indoor temperature of less than 22°C (71°F) but greater than 16°C (60°F). Minimum Housing and Health Standards s 8(a,b)

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 October 15, 2021.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure that the bedroom windows meet the requirements in section 3 of the Minimum Housing and Health Standards.
 - b. Please provide documentation that the heating system complies with Building Code requirements and that section 8 of the Minimum Housing and Health Standards is complied with.
 - c. Ensure light switch cover plate are present on all light switch covers such as in the SE bedroom, and SW bathroom.
 - d. Ensure electrical outlet covers are present in different areas such as wall in south common area and in the SE bedroom.
 - e. Ensure that Section 5 of the Minimum Housing and Health Standards is complied with for the finishes throughout the rental dwelling.
 - f. Ensure that every window or other device intended for ventilation is supplied with effective screens.
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, September 01, 2021.

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 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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

