

ORDER OF AN EXECUTIVE OFFICER

To: The Estate of Marge Cheperdak
c/o Laurie Leeder
"the owner"

Laurie Leeder
"the owner" (property manager)

RE: Those premises located in Edmonton, Alberta and municipally described as:
9857 – 84 Avenue 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 metal guards at the front entrance had a height of 28 inches and openings of 7 inches which failed to meet the Alberta Building Code.
- b. A number of insect screens were either missing, torn, or ill-fitting on windows intended for ventilation purposes:
 - in the east bedroom of Suite 1
 - in the bathroom and living room of Suite 2
 - in the bathroom of Suite 3
 - in the bathroom of Suite 4
- c. The bathroom sink was chipped in Suite 1.
- d. The bedroom window in Suite 2 could not remain open on its own for emergency egress purposes.
- e. The kitchen sink was chipped in Suite 3.
- f. The back of the cupboard under the kitchen sink was damaged in Suite 3.
- g. The kitchen counter was in disrepair in Suite 4.
- h. The wall behind and underneath the kitchen sink was in disrepair in Suite 4.
- i. The linoleum flooring in the kitchen and carpet in the living area were worn out in Suite 4.
- j. The paint on the bathroom ceiling was peeling in Suite 4.
- k. There was no mechanical fan and the window could not be easily opened for ventilation in the bathroom of Suite 4.
- l. Baseboards were missing in Suite 4.

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 metal guards at the front entrance did not meet the Alberta Building Code. This is in contravention of section 3(c)(i) of the Minimum Housing and Health Standards which states: *“Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be in good repair and shall comply with the requirements of Alberta Building Code or a Professional Engineer design.”*
- b. Missing, torn or ill fitting insect screens on windows intended for ventilation purposes. This is in contravention of section 2b(iii) of the Minimum Housing and Health Standards which 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.”*
- c. The bathroom sink was chipped in Suite 1. This is in contravention of section 1(c) of the Minimum Housing and Health Standards which states: *“Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”*
- d. The bedroom window could not remain open on its own for emergency egress in Suite 2. This is in contravention of sections 3(b)(i) & (ii) of the Minimum Housing and Health Standards which state: *“For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge. Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8 ft²), with no dimension less than 380 mm (15”).”*
- e. The kitchen sink was chipped in Suite 3. This is in contravention of section 1(c) of the Minimum Housing and Health Standards which states: *“Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”*
- f. The back of the cupboard under the kitchen sink was damaged in Suite 3. This is in contravention of section 1(c) of the Minimum Housing and Health Standards which states: *“Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”*
- g. The kitchen counter was in disrepair in Suite 4. This is in contravention of section 14(a)(iii) of the Minimum Housing and Health Standards which states: *“Every housing premises shall be provided with a food preparation area, which includes a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.”*
- h. The wall behind and underneath the kitchen sink was in disrepair in Suite 4. This is in contravention of section 1(c) of the Minimum Housing and Health Standards which states: *“Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”*
- i. The linoleum flooring in the kitchen and carpet in the living area were worn out in Suite 4. This is in contravention of sections 5 of the Minimum Housing and Health Standards which states: *“All walls, windows, ceilings, floor, 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 paint on the bathroom ceiling was peeling in Suite 4. This is in contravention of sections 5 of the Minimum Housing and Health Standards which states: *“All walls, windows, ceilings, floor, 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. There was no mechanical fan and the window could not be easily opened for ventilation in the bathroom of Suite 4. This is in contravention of section 7(c) of the Minimum Housing and Health Standards which states: *“All rooms containing a flush toilet and/or bathtub or shower shall be*

provided with natural or mechanical ventilation. A bathroom fan exhausted to the exterior is needed where windows cannot be solely relied upon."

- i. Baseboards were missing in Suite 4. This is in contravention of sections 5 of the Minimum Housing and Health Standards which states: "All walls, windows, ceilings, floor, 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."

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. Modify or replace the existing guards by the front entrance to meet the current Alberta Building Code - to a height of at least 36 inches with no openings larger than 4 inches and no components that could facilitate climbing.
 - b. Repair or install properly fitted insect screens on all windows intended for ventilation purposes.
 - c. Repair or replace the bathroom sink in Suite 1 to render it in good condition and easily cleanable.
 - d. Repair, retrofit, or replace the bedroom window in Suite 2 so that it stays open on its own to allow for an unobstructed opening of at least 3.8 sqft with no dimensions less than 15 inches.
 - e. Repair or replace the kitchen sink in Suite 3 to render it in good condition and easily cleanable.
 - f. Repair the back of the cupboard under the kitchen sink in Suite 3 to render it in good condition and easily cleanable.
 - g. Repair or replace the kitchen counter in Suite 4 to provide a smooth, non-absorbent, and easily cleanable surface suitable for food preparation.
 - h. Repair the wall behind and underneath the kitchen sink in Suite 4 to render it in good condition and easily cleanable.
 - i. Repair or replace the flooring in the kitchen and living area of Suite 4 to render it in good condition and easily cleanable.
 - j. Repair and refinish the bathroom ceiling in Suite 4 to render it in good condition and easily cleanable.
 - k. Repair, replace, or retrofit the bathroom window in Suite 4 so that it can be easily opened or install a mechanical bathroom fan to allow for proper ventilation.
 - l. Install proper baseboards in Suite 4 to eliminate gaps between the walls and floors to facilitate easy cleaning and prevent entry of pest.

2. The work referred to in paragraph 1 shall be completed by **September 30, 2017**.

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, July 17, 2017

Amended at Edmonton, Alberta, October 27, 2017

Frances Fong, 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

cc: City of Edmonton - Safety Codes Compliance