

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Village Acres II Inc
Paramount Investments Inc.
Aziz Adeeb
Samir Sawhney
Braden Equities Inc, Steve Towns

RE: Plan 1774RS, Block 19, Lot 1B
Village Acres Block 136 Suite 167 Edmonton, Alberta

15 September 2011

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above 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 the prevention or suppression of disease, namely:

1. The suite is extensively contaminated with mould, mould was seen on the wall in the bathroom above the bathroom vanity, on the walls in the bedroom and along the heating registers in the bedroom. Mould is a potential health hazard.
2. The suite was heavily contaminated from a sewage back up in the kitchen area and dining area. The entire kitchen floor and dining room floor was contaminated with sewage. The counter and the kitchen cabinets were incrustated with sewage. All areas that were sewage contaminated had been left to dry. Sewage covered items are a potential infectious disease hazard.
3. Evidence of a mouse infestation, a dead mouse was seen on the floor in the kitchen area.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Regulations there under exist in and about the above noted premises, namely:

1. Nuisance and General Sanitation Regulation 243/2003 s.2
The suite is extensively contaminated with mould, mould was seen on the wall in the bathroom above the bathroom vanity, on the walls in the bedroom and along the heating registers in the bedroom. Mould is a potential health hazard which is a contravention of Part 1, section 2(1) which states that no person shall create, commit or maintain a nuisance, and 2(2)(a) which states that without limiting the generality of subsection (1), a person who creates, commits or maintains (a) any premises in a condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the

prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.

2. Nuisance and General Sanitation Regulation 243/2003 s.2
The suite was heavily contaminated from a sewage back up in the kitchen area and dining area. The entire kitchen floor and dining room floor was contaminated with sewage. The counter and the kitchen cabinets were incrustated with sewage. All areas that were sewage contaminated had been left to dry. Sewage covered items are a potential infectious disease hazard which is a contravention of Part 1, section 2(1) which states that no person shall create, commit or maintain a nuisance, and 2(2)(a) which states that without limiting the generality of subsection (1), a person who creates, commits or maintains (a) any premises in a condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.
3. Housing Regulation 173/99 s.4
Evidence of a mouse infestation, a dead mouse was seen on the floor in the kitchen area which is in contravention of section V(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.

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 owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remove all water damaged drywall in the suite. Any wooden studs showing signs of rot must be removed.
 - b. Remove all sewage contaminated items and ensure all areas are adequately sanitized.
 - c. 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. Rooms that contain a flush toilet and bathtub or shower must have walls that are form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower
 - d. Ensure a functioning smoke detector is installed in the hallway by the bedrooms and ensure that it is operational and in good repair
 - e. Ensure all electrical outlets, switches and fixtures are properly installed and are maintained in a good and safe working condition.
 - f. Remove the plastic stopper for the spare bedroom window to allow for a secondary means of egress. A bedroom window intended to be used as a secondary means of egress shall provide unobstructed opening with areas not less than 0.35m² (3.8ft² or 547 inches²), with no dimension less than 380 mm (15”). All egress windows must open directly to the outside.

- g. Ensure all openable windows are provided with insect screens and that the insect screens are in good condition.
 - h. Ensure all plumbing fixtures are serviceable and free from leaks trapped and vented to the outside. Repair the plumbing issues in the suite.
 - i. Due to the amount of sewage damage and the amount of mould seen in the suite an assessment under consultation with an environmental consultant and/or hiring an Environmental Consultant or Industrial/Occupational Health Consultant is required for the suite. This is to ensure that proper sanitization/decontamination is performed in the kitchen and dining area, as well as an air quality assessment for the suite. Documentation of all remediation work must be provided by the qualified consultant and a copy must be provided to this office.
Where water damage / sewage contamination has occurred, the area(s) must be assessed to determine the extent of damage and mould contamination. This assessment must include insulation and any other absorbant material in wall and ceiling cavities. All mouldy / sewage contaminated material must be removed and the area cleaned, sanitized and dried before repairs and refinishing are completed. Where mould growth is extensive, mould remediation must be consistent with procedures in these or similar documents:
 - Mould Remediation in Schools and Commercial Buildings (EPA, 2001)
 - Guidelines on Assessment and Remediation of Fungi in Indoor Environments (New York City Department of Health, 2002)
 - Mould Guidelines for the Canadian Construction Agency (CCA, 2004)
 - Mould in Indoor Environments Risk Assessment and Management Program Handbook (Alberta Research Council / Alberta Infrastructure and Transportation 2006)
 - j. Hire a qualified pest control operator, to deal with the mouse infestation in the suite. A report from the pest control contactor indicating that the premise is rodent free is required to be submitted to this office.
2. 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, 15 September 2011

____(Original Signed)____
Ingrid Bohac, 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 within ten (10) days after receiving the order to the Public Health Appeal Board located at 24th Floor, Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta, T5J 1S6. Telephone (780) 427-2813.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at (780) 342-0122, or the Public Health Appeal Board (780) 427-2813.

You are advised that all orders remain in effect pending such an appeal

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 & Wellness at (780) 427-4518, or by visiting: www.health.alberta.ca/about/health-legislation.html