

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

To:

Mac Lofts Capital Corporation “the owner”	10807675 Alberta Ltd.. “the property manager”
Norman Steinberg “the owner”	Mubi Dharshi “the property manager”
Abby Steinberg “the owner”	“Brad Kamal” “the property manager”
Paragon Properties Ltd. “the owner”	

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

RE: The “housing premises” located in Edmonton, Alberta and municipally described as:
Suite B7, 10128 – 105 Avenue NW, Edmonton Alberta

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 major water infiltration into the suite leading to wet, damp and damaged floor finishings and materials.
- b. Mould growth was noted on the interior of the wall cavity in the hallway outside the suite and there was a high probability that the walls and wall cavities in the suite have similar conditions.
- c. A remediation company was scheduled to cut open walls, remove damaged material, which will release contaminants into the air.
- d. The remediation work will impede access to the suite, kitchen and bathing facilities.

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:

- Items (a) and (b) are in contravention of section III (1)(b) and (c) of the Minimum Housing and Health Standards which states that: (b) Basements, cellars or crawl spaces shall be

structurally sound, maintained in good repair and free from water infiltration and accumulation and (c) Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.

- Item (a) is in contravention of section III(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.
- Item (c) is in contravention of section 5(2) of the Housing Regulations which states that: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.
- Item (d) is in contravention of section 14 of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area.
- Item (d) is in contravention of section 7 of the Minimum Housing and Health Standards which state that: every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower.

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 above noted premises be vacated immediately so investigation and remediation can commence in the premises.
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 all water damaged material is removed. This work must be done by a Licensed Environmental Consultant or Industrial/Occupational Health Hygienist. They must:
 - i. Assess the conditions within the above noted premises including carrying out of environmental air quality analyses of the interior spaces (including the wall and floor cavities) for water and mould damage.
 - ii. Remove the water damaged material. The area must be opened, dried and cleaned.
 - b. Conduct air monitoring to ensure all contaminants have been identified and removed. Air sampling is to be carried out in accordance with Alberta Health Services Fungal Air Testing, Investigation and Reporting Requirements for Mould Remediation. A copy of this report must be submitted to this office for review.
 - c. Replace all damaged floor coverings and walls so they are in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it 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. 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.

- d. Ensure any other water damaged material, which may include the bathroom vanity, kitchen cupboards are removed and replaced. All materials must be in good repair, easily clean and non-absorbent to moisture.
 - e. Ensure that the premises complies with all requirements of the Minimum Housing and Health Standards.
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, October 20, 2016.

_____(Original Signed)_____
Meaghen Allen, 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 Reception, Main Floor, Telus Plaza, 10025 Jasper Avenue, Edmonton, Alberta, T5J 1S6, Telephone 780-427-2813 Fax 780-422-0914.

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.

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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.htm