

ORDER OF AN EXECUTIVE OFFICER

To: Avenue Living Communities Ltd.
"the Owner"

RE: Those housing premises located in Brooks, Alberta and municipally described as:
1023 3rd Avenue East - Unit 104

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. Water damage noted under kitchen sink which also affected the drywall behind the cabinets.
- b. Floor and baseboard are missing behind the toilet in the bathroom.
- c. Ceiling in bathroom above the shower has holes from past water damage and is sagging.
- d. Floor transition piece is missing in the hallway where kitchen floor meets the living room floor.
- e. Holes are punched into drywall in the hallway, living room and bedroom.
- f. Water damage noted under kitchen sink. Cabinet panel in kitchen is missing.
- g. The appearance of black mould speckles is noted on the wall under the kitchen sink and on the bottom of the sink cabinet.
- h. Bathroom ventilation is not working effectively to remove moisture. Repair or maintain ventilation unit.

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. Water damage noted under kitchen sink which also affected the drywall behind the cabinets. This is a contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: 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.
- b. Floor and baseboard are missing behind the toilet in the bathroom. This is a contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: 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. Ceiling in bathroom above the shower has holes from past water damage and is sagging. This is a 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.

- d. Floor transition piece is missing in the hallway where kitchen floor meets the living room floor. This is a 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.
- e. Holes are punched into drywall in the hallway, living room and bedroom. This is a 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.
- f. Water damage noted under kitchen sink. Cabinet panel in kitchen is missing. This is a contravention of section IV(14)(a)(ii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: cupboards or other facilities suitable for the storage of food.
- g. The appearance of black mould speckles is noted on the wall under the kitchen sink and on the bottom of the sink cabinet. This is a contravention of section 2(1) of the Public Health Act Nuisance and General Sanitation Regulation, 2003 which states that: No person shall create, commit or maintain a nuisance.
- h. Bathroom ventilation is not working effectively to remove moisture. This is a contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.

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. Cut out the portion of drywall that is water damaged, replace with new drywall and refinish.
 - b. Install a continuous smooth floor that is non-absorbent to moisture in the bathroom.
 - c. Cut out ceiling, inspect and address damage and refinish with new drywall that is sealed and painted. If needed, install a new access panel that is impervious to moisture.
 - d. Install floor transition between the two different floors.
 - e. Seal and finish holes in the walls.
 - f. Remove and replace kitchen sink cabinet liner. Replace missing kitchen cabinet panel.
 - g. Cut out water damaged drywall and particleboard liner and replace with clean, new finishes.
 - h. Repair or install a new bathroom ventilation unit.
2. The work referred to in paragraph 1 shall be completed by December 7, 2022.

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 Brooks, Alberta, November 10, 2022.

Confirmation of a verbal order issued to the Avenue Living Property Manager on November 7, 2022.

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 the Public Health Appeal Board or visiting their website.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Health Legislation and regulations are available for purchase. Please contact Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Template revised October 13, 2022

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RE: Those premises located in Brooks, Alberta and municipally described as: 1023 3rd Avenue E – Unit 104

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