

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

**To:** ANNABELLE BURCHYNSKY  
“the Owner”

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
10329 153 Street 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. Insect screens were missing from various openable windows
- b. The south basement bedroom did not have an adequate means of emergency egress.
- c. The southwest basement bedroom did not have an adequate means of emergency egress.
- d. The east main floor bedroom did not have an adequate means of emergency egress.
- e. A guard was missing from the open side of the stairs leading to the basement.
- f. The handrail leading to the basement was not continuous along the full length of the stairs.
- g. Finishes were in disrepair in several areas of the premises including: the flooring by the south entrance and kitchen was in disrepair; the basement hallway walls were in disrepair and required further finishing; the basement ceiling was unfinished in places, exposing insulation and ceiling joists, etc.; there was a large hole in the wall of the east main floor bedroom.
- h. The ceiling electrical fixture by the south door was hanging by its wires.
- i. Electrical switch/plug plate covers were missing in places.
- j. The south basement bedroom door had a hasp lock on its exterior.
- k. There was a large amount of items throughout the premises which obstructed pathways including the stairs leading to the basement, the basement hallway, and main floor common living room area.

**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. Item (a) was in contravention of section III(2)(b)(iii) of the Minimum Housing and Health Standard that 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.
- b. Items (b, c, d) were in contravention of section III(3)(b)(i, ii) of the Minimum Housing and Health Standard that states: 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. (ii) Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).
  - c. Item (e, f) was in contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards that states: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.
  - d. Items (g) were in contravention of section III(5) of the Minimum Housing and Health Standards that states: 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. (a) 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. (b) 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.
  - e. Items (h, i) were in contravention of section IV(11) of the Minimum Housing and Health Standards that states: Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
  - f. Items (j, k) were in contravention of section 5(2) of the Housing Regulation (AR 173/99) that states: 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.

**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 Sept 20, 2021**.
2. That the Owner pursue the completion of the following work in and about the above noted premises, namely:
  - a. Ensure that all openable windows are supplied with insect screens.
  - b. Ensure that all bedrooms have adequate means of emergency egress such as an outside window that can be opened from the inside without the use of tools or special knowledge, with an unobstructed window opening with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).

- c. Modify or replace the handrail along the interior stairs so that it is continuous and complies with the current Alberta Building Code.
  - d. Install a guard along the open side of the interior stairs so that it complies with the current Alberta Building Code.
  - e. Ensure that all wall, ceiling and flooring finishes are in good repair, free of cracks and holes, and in conditions that render them easy to clean.
  - f. Ensure that all electrical outlets, switches and fixtures are properly installed and maintained in a good and safe working condition.
  - g. Remove the hasp lock from the exterior of the south basement bedroom door.
  - h. Ensure that pathways are not obstructed, including the interior stairs and landings, hallways, and other common living areas.
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, Sept 6, 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](mailto: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](http://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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>