

ORDER OF AN EXECUTIVE OFFICER

To: Leslie Michaelson Rob Mastrodimos
 "the Owner" "the Owner"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:

 10453 77 Avenue NW Edmonton, AB T6E 1M8

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 window in the SE bedroom would not open at the time of inspection. As a result, emergency egress was not possible via the window.
- b. There was no working smoke alarm present to notify the occupants of the NE bedroom in the event of an emergency.

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 window in the SE bedroom would not open at the time of inspection. As a result, emergency egress was not possible via the window. This is in contravention of Section 3(b)(i) of the Minimum Housing and Health Standards, which states that "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."
- b. There was no working smoke alarm present to notify the occupants of the NE bedroom in the event of an emergency. This is in contravention of Section 12 of the Minimum Housing and Health Standards, which states that "Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway. (a) Smoke alarms shall be operational and in good repair at all times. "
- c. The plate cover for one of the electrical outlets in the SE bedroom was missing. The plate cover for one of the electrical outlets in the basement was broken. This is in contravention of Section 11 of the Minimum Housing and Health Standards, which states that "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."
- d. The following finishes were damaged at the time of inspection: the paint within the bathroom (which was missing in a number of places), the trim around the door of the SE bedroom (which was broken/missing in sections), the flooring of the kitchen (which was not smooth, impervious to moisture, or easy to clean), and the ceiling in the kitchen (which had cracks present). This is in contravention of Section 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. (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. A number of the buttons/dials on the stove were missing. This is in contravention of Section 14(a)(iv) of the Minimum Housing and Health Standards, which states that “Every housing premises shall be provided with a food preparation area, which includes:… (iv) a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. (400F).”
- f. The surface of the kitchen counter was worn. As a result, the surface was not smooth, impervious to moisture, or easy to clean. This is in contravention of Section 14(a)(iii) of the Minimum Housing and Health Standards, which states that “(a) Every housing premises shall be provided with a food preparation area, which includes:… (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned;”
- g. The surface of the bathtub was worn. This is in contravention of Section 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”
- h. The insect screen for the bathroom window was torn. This is in contravention of Section 2(b)(iii) of the Minimum Housing and Health Standards, which states that “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.”
- i. The window in the NE bedroom was broken. This is in contravention of Section 2(b)(i) of the Minimum Housing and Health Standards, which states that “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”

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. Repair the window in the SE bedroom to ensure it is openable and provides an unobstructed opening of at least 3.8 ft² (with no dimension less than 15 inches). Furthermore, the window must open and remain in an open position (while meeting the openable area requirements previously listed).
 - b. Install a working smoke alarm between the NE bedroom and the remainder of the suite.
 - c. Replace the missing plate cover in the SE bedroom.
 - d. Replace the broken plate cover in the basement.
 - e. Repair the following finishes: the paint within the bathroom, the trim around the door of the SE bedroom, the flooring of the kitchen, and the ceiling in the kitchen.
 - f. Replace the missing buttons/dials along the stove.
 - g. Repair the surface of the kitchen counter. Ensure it is maintained in a condition that is smooth, impervious to moisture, and easy to clean.

- h. Refinish the surface of the bathtub. Ensure the surface is smooth, impervious to moisture, and easy to clean.
 - i. Replace the insect screen in the bathroom.
 - j. Replace the broken window in the NE bedroom.
2. The work referred to in paragraph 1(a, b) shall be completed by April 24, 2024.
The work referred to in paragraph 1(c, d, e, f, g, h, i) shall be completed by May 13, 2024.

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, April 10, 2024.

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>

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