

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

To: Lucie Delisle Joselyn Groleau
 "the Owner" "the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
Suite 2, 10651 80 Avenue 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. There was an exterior crack in the foundation on the southwest side of the building.
- b. Various windows were not adequately weatherproof including: the living room window was single-paned; the makeshift bedroom window off the bathroom was single paned, and a living space window was broken.
- c. The suite door did not lock.
- d. There was a makeshift bedroom off of the bathroom area which did not have adequate emergency egress.
- e. Finishes were in disrepair throughout the premises including:
 - There were large holes in the main hallway ceiling and wall of approximately 3 feet diameter and 1 foot diameter, respectively.
 - The kitchen ceiling was damaged in places with peeling paint, exposed wood and signs of water infiltration.
 - The upper wall and ceiling at the entrance of the kitchen had large holes, exposing wood framing.
 - Flooring was in disrepair throughout the premises including damaged carpet, missing transition strips, water damaged and gaping wood flooring, broken and missing portions of wood flooring in the bathroom.
 - There was missing portions of bathroom walls by the bathtub.
 - There was a large hole in the bathroom ceiling.
- f. The bathtub from the adjacent unit was leaking into the utility room of Suite 2.
- g. The bathtub was not connected to any plumbing lines.
- h. The electrical service was in disrepair throughout the premises including:
 - Various switch and plug outlet plate covers were missing.
 - There were electrical wires and a wired electrical box hanging from the main hallway ceiling.
 - There were exposed and uncapped wires a utility area by the bathroom.

- There were exposed wires in the ceiling of the makeshift bedroom off the bathroom.
- i. There were no operational smoke alarms installed in the suite.
- j. There was evidence of a mouse infestation: there was a deceased mouse in a hallway and there were mouse droppings noted under the kitchen sink.
- k. There was an accumulation of items next to the hot water tank and the furnace.

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. There was an exterior crack in the foundation on the southwest side of the building. This is in contravention of Section 1(a) of the Minimum Housing and Health Standards which states that: *The housing premises shall be structurally sound.*
- b. Various windows were not adequately weatherproof including: the living room window was single-paned; the makeshift bedroom window off the bathroom was single paned; and a living space window was broken. This is in contravention of Section 2(a,b) 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. (ii) In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.*
- c. The suite door did not lock. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards which states that: *Exterior windows and doors shall be capable of being secured.*
- d. There was a makeshift bedroom off of the bathroom area which did not have adequate emergency egress. This is in contravention of Section 3(b) of the Minimum Housing and Health Standards which states that: *(i) 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 m² (3.8ft²), with no dimension less than 380 mm (15"). (iii) If the window referred in section 3(b)(i) is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge. (iv) Notwithstanding section 3(b)(i), (ii) and (iii), alternate provisions for emergency egress may be approved by an executive officer where, after consultation with a safety codes officer, the executive officer is satisfied that the alternate provisions provide for means of emergency egress.*
- e. Finishes were in disrepair throughout the premises including:
 - There were large holes in the main hallway ceiling and wall of approximately 3 feet diameter and 1 foot diameter, respectively.
 - The kitchen ceiling was damaged in places with peeling paint, exposed wood and signs of water infiltration.
 - The upper wall and ceiling at the entrance of the kitchen had large holes, exposing wood framing.
 - Flooring was in disrepair throughout the premises including damaged carpet, missing transition strips, water damaged and gaping wood flooring, broken and missing portions of wood flooring in the bathroom

- There was missing portions of bathroom walls by the bathtub.
- There was a large hole in the bathroom ceiling.

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.*

- f. The bathtub from the adjacent unit was leaking into the utility room of Suite 2. This is in contravention of Section 6 of the Minimum Housing and Health Standards which states that: *Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. (a) The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition. (b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.*
- g. The bathtub was not connected to any plumbing lines. This is in contravention of Section 7(a) of the Minimum Housing and Health Standards which states that: *Except where exempt by regulation, 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. (a) The washbasins and bathtub or shower shall be supplied with potable hot and cold running water.*
- h. The electrical service was in disrepair throughout the premises including:
- a. Various switch and plug outlet plate covers were missing.
 - b. There were electrical wires and a wired electrical box hanging from the main hallway ceiling.
 - c. There were exposed and uncapped wires a utility area by the bathroom.
 - d. There were exposed wires in the ceiling of the makeshift bedroom off the bathroom.

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.*

- i. There were no operational smoke alarms installed in the suite. 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.*
- j. There was evidence of a mouse infestation: there was a deceased mouse in a hallway and there were mouse droppings noted under the kitchen sink. This is in contravention of Section 16 of the Minimum Housing and Health Standards which states that: *The owner*

shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition. (a) The owner shall ensure that the housing premises are free of insect and rodent infestations; and (i) all situations requiring the application of pesticides must be applied in accordance with the Environmental Protection and Enhancement Act and regulation; and (ii) whenever a pesticide is applied in a dwelling, the occupant shall be notified in accordance with the latest edition of the Environmental Code of Practice for Pesticides published by Alberta Environmental Protection. (iii) it is the occupants responsibility to allow access in accordance to the Residential Tenancy Act to do whatever is necessary to ensure the dwelling unit is ready for pesticide application.

- k. There was an accumulation of items next to the hot water tank and the furnace. This is in contravention of Section 5(2) of the Housing Regulation (AR 173/99 s5;251/2001) 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.*

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 November 24, 2023
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Have a structural engineer or foundation contractor assess the foundation of the building and repair as necessary. **Provide documentation to the AHS Environmental Public Health office.**
 - b. Repair or replace any windows that are in disrepair so that they are adequately weatherproof. Ensure that windows are maintained in good repair, free of cracks, and are supplied with a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by an Executive Officer.
 - c. Repair the suite door so that it adequately locks. Ensure that all windows are capable of being secured.
 - d. Ensure that all rooms used for sleeping have adequate means of emergency egress.
 - e. Repair all damaged finishes so that they are in good condition. Ensure 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. Repair the bathtub plumbing in Suite 1 so that it no longer leaks.
 - g. Repair the bathtub in Suite 2 so that it is properly connected to plumbing lines.
 - h. Repair the electrical service so that outlets, switches and fixtures are properly installed and maintained in a good and safe working condition.
 - i. Install operational smoke alarms between each sleeping area and the remainder of the suite.
 - j. Hire a licensed pest control operator to disinfest the building of mice. **Provide documentation to the AHS Environmental Public Health office.**

- k. Remove accumulation items from around the hot water tank and furnace. Ensure that a space of 3 feet around the hot water tank and furnace remains clear of items.
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 27, 2023
Confirmation of a verbal order issued to Joelyn Groleau on October 26, 2023.

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 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>