

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

**To:**           **AARNOUTSE PROPERTIES LTD.**  
                  “the Owner”

And.

**ADRIAN WILLIAM AARNOUTSE**  
                  “the Owner”

And,

**CAROLYN MARIE AARNOUTSE**  
                  “the Owner”

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

**RE:**       Those housing premises located in Edmonton, Alberta and municipally described as:  
              **10974 135 Street NW (Lot 9, Block 9, Plan 3624HW).**

**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:

Common Area

- a. The power was not operational during the site inspection, power was disconnected on September 21, 2022.
- b. Multiple window screens were missing throughout the premises.
- c. Multiple holes in the drywall throughout the premises.
- d. The smoke alarms were not operational throughout the premises.
- e. The premises appliances were not operational due to the lack of power (fridge(s) and stove(s)).
- f. Multiple broken window panes throughout the premises.
- g. Multiple electrical and light covers missing throughout the premises.
- h. The front, rear and side entrance were not weatherproofed.
- i. Front entrance guards were loose and had height of 28 inches.
- j. Front entrance guards had missing spindles.
- k. Rear deck guard along the stairs had missing spindles.
- l. Rear guard was loose and not secured.

- m. Rear-guard steps shows signs of rot.
- n. Roof singles were worn and require replacing.

#### Second Floor

- o. The south bedroom window was unable to remain open without assistance.
- p. The south bedroom window light fixture was broken.
- q. The north bedroom window was unable to remain open without assistance.
- r. There was a HSAP lock installed on the north bedroom entrance.
- s. The north bedroom door was damaged and detached from its hinges.
- t. Missing handrail on stairs to the second floor

#### Main Floor

- u. Thermostat had detached and was no longer secured.
- v. Electrical conduct was protruding from the hallway drywall.
- w. South bedroom window lock was not operational.
- x. North bedroom window does not meet egress requirements, openable area was measured to be 20.5 inches by 13 inches.
- y. North bedroom plumbing access panel had detached.
- z. North bedroom heat return register had detached.
- aa. North bedroom door was damaged and detached.
- bb. The bathroom tub surround was cracked and no longer moisture resistance.
- cc. The bathroom tub overflow cover had detached.
- dd. The bathroom window pane had detached from the casing.
- ee. The bathroom baseboard behind the toilet showed evidence of water damage.
- ff. The bathroom wall tiles had lifted and detached.
- gg. The kitchen cabinet face(s) had detached and no longer secured.

#### Basement

- hh. No handrail on the stairs leading to the basement.
- ii. Floor covering throughout the basement had lifted and detached.
- jj. The bedroom window had detached from its hinges.
- kk. There were multiple ceiling tiles missing throughout the basement.
- ll. There were multiple kitchen cabinet faces that have detached.
- mm. The kitchen light fixture had detached resulting in exposed wires.
- nn. The bathroom light switch had detached resulting in exposed wires.
- oo. The bathroom shower head had detached.
- pp. The bathroom toilet was not operational.
- qq. The bathroom hand sink was not operational.
- rr. There was evidence of water damage and mould on the bathroom drywall.
- ss. The hot water tank face plate was missing.

**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 (s, y, z, aa, bb, ee, gg, ll and rr) are in contravention of section III(1)(c) of the Minimum Housing and Health Standards which states that: Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- b. Item (f and h) are in contravention of section III(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.
- c. Item (b) is in contravention of section III(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.
- d. Items (i, j, k, l, m, t and hh) are in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.
- e. Items (c, ff, ii and kk) are 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.
- f. Item (n and dd) are in contravention of section III of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition.
- g. Item (w) is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
- h. Item (o, q, x and jj) are in contravention of section III (3)(b)(ii) of the Minimum Housing and Health Standards which states that: 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”).
- i. Items (cc, oo, pp, qq and ss) are in contravention of section IV(6)(c) of the Minimum Housing and Health Standards which states that: All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- j. Items (a, g, p, u, v, mm and nn) are in contravention of section IV(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.
- k. Item (d) is in contravention of section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.

- l. Item (e) is in contravention of section IV(14)(a)(i) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: 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.
- m. Item (r) is in contravention of section 2(1) of the Nuisance and General Sanitation and Regulations states that: No person shall create, commit or maintain a nuisance that might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.

**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 **October 31, 2022**.
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 the premises is supplied with electrical service.
  - b. Ensure all outlets, switches and fixtures are properly installed and are maintained in a good and safe working condition.
  - c. Ensure all openable windows are equipped with effective screen.
  - d. Ensure all smoke alarms are maintained and operational.
  - e. Ensure the premise main floor and basement suites are provided with a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator(s) can maintain a temperature of 4 degrees C.
  - f. Ensure all windows are maintained in good repair, free of cracks and weatherproof.
  - g. Ensure the front, rear and side entrance are weatherproofed.
  - h. Install handrail(s) on the stairs leading to the second floor and to the basement suite.
  - i. Ensure the front entrance guards are secured and have a minimum height of 36 inches.
  - j. Repair the front entrance guards spindles and ensure the width between spindles are 4 inches or less.
  - k. Install a guard on the rear entrance deck stairs and ensure the width between spindles are 4 inches or less.
  - l. Repair all signs of rot on the front and rear entrance steps.
  - m. Remove and/or repair all missing and lifted singles. **Ensure the roof of the premises is inspected by a certified roofer and submit a copy of the report to Alberta Health Services Environmental Public Health to be reviewed.**

- n. Ensure all surfaces throughout the premises are smooth, durable, impervious
  - o. Ensure all surfaces (walls, ceilings, floors, and floor coverings) throughout the premises are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
  - p. Repair or replace the damaged kitchen cabinet faces in the main floor and basement kitchen.
  - q. Replace the missing overflow cover on the main floor bathroom tub.
  - r. Repair or replace the main floor bathroom tub surround.
  - s. Ensure the following bedroom windows are repaired and can remain open without assistance:
    - i. The second floor south bedroom.
    - ii. The second floor north bedroom.
    - iii. The basement suite bedroom.
  - t. Repair or replace the main floor north bedroom window. Ensure the bedroom window has an unobstructed 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”).
  - u. Repair or replace the main floor south bedroom window lock.
  - v. Remove the HSAP lock installed on the second floor north bedroom door.
  - w. Reattach or replace the thermostat.
  - x. Remove and replace the following water damaged building material. Any wall repairs must be tested for asbestos prior to the removal. If the sample is positive for asbestos, ensure the remediation is performed in accordance with the Alberta Asbestos Abatement regulation. **A copy of the testing results are to be submitted to Alberta Health Services Environmental Public Health.**
    - i. The main floor bathroom baseboard.
    - ii. The basement suite bathroom drywall.
  - y. Repair or replace the missing hot water tank face plate.
  - z. Repair or replace the basement suite bathroom toilet, shower, and hand sink. Ensure the bathroom fixtures are operational and maintained.
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 5, 2022.

Confirmation of a verbal order issued to ADRIAN WILLIAM AARNOUTSE on September 26, 2022.

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](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 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>.

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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>**

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