

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

To: Terren Boyd Clark
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
11230 95A Street NW Edmonton, Alberta T5G 1N8

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 basement bedroom was too small to meet egress requirements. The openable area of the window measured less than nine inches wide. As a result, it was not possible for the occupant to egress via the window in the event of an emergency.
- b. There was no working smoke alarm present in the basement to notify the basement tenant in the event of an emergency.
- c. The external basement window was missing an insect screen.

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 basement bedroom was too small to meet egress requirements. The openable area of the window measured less than nine inches wide. As a result, it was not possible for the occupant to egress via the window in the event of an emergency. This is in contravention of Section 3(b)(ii) of the Minimum Housing and Health Standards, which states that "*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").*"
- b. There was no working smoke alarm present in the basement to notify the basement tenant 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 external basement window was missing an insect screen. 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.”

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 July 1, 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. Modify the window and window well to ensure the basement suite egress window has an openable area of at least 3.8 ft² (with no dimension less than 15 inches). Alternatively, remove the bed and personal items from the basement bedroom suite and provide a signed, written statement to indicate the basement bedroom will not be rented for sleeping purposes.
 - b. Install a working smoke alarm outside of the basement suite bedroom (between the bedroom and the remainder of the suite).
 - c. Install an insect screen on each window that can be opened to the outside.
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, June 3, 2022.

Confirmation of a verbal order issued to Terren Clark, on June 1, 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
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 Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

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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www.albertahealthservices.ca/eph.asp