

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

To: 1800931 Alberta Ltd. Kenneth McLeod
"the Owner" "the Owner"

And To: All Occupant(s) of the following Housing premises: 11520 85 Street NW

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
Units 101, 201, 301, & 401 – 11520 85 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:

Common Areas:

- a. The staircase located between Unit 201 and 301 was in disrepair. The tread near the top of the staircase was not properly secured to the stringer. The staircase was sitting at a noticeable slant to the main floor.
- b. The roof shingles were lifted and worn.
- c. The parging/cladding installed along the exterior of the dwelling was missing in several areas. The foundation beneath this material had also begun to deteriorate.
- d. There were mouse droppings observed throughout the utility room.
- e. The utility room floor was in disrepair. The cement was cracked and chipped in several areas.

Unit 101:

- f. There were several electrical plate covers missing throughout the unit.
- g. There was a portion of the kitchen ceiling that had been removed to make waterline repairs. The area was covered with unfinished particle board.
- h. The kitchen floor was in disrepair. The tiles were cracked and chipped in several areas.
- i. The carpet was stained and in disrepair throughout the unit.
- j. There were several holes throughout the drywall in the unit.
- k. The caulking installed along the back of the kitchen counter was in disrepair.
- l. The washroom floor was in disrepair. The tiles were cracked and chipped in several areas.
- m. The base of the bathroom vanity was in disrepair. The cabinetry was water damaged and the finish had begun to come off, exposing the wood beneath.
- n. There was mold growth observed along the washroom wall adjacent to the toilet.

- o. The bathtub faucet was missing a handle.
- p. The mechanical ventilation cover in the washroom was not properly affixed to the ceiling.
- q. The disposal pipe from the washroom hand sink had been disconnected and was sitting in the sink basin.
- r. There was no smoke alarm installed near the bedroom.
- s. The entrance door was in disrepair. The door was damaged along its stiles and the handle was missing.
- t. There were cockroach carcasses observed under the kitchen sink.

Unit 201:

- u. There were missing electrical cover plates in the northeast and northwest bedroom.
- v. There was unfinished flooring in the northeast bedroom.
- w. There were several doors throughout the unit that had been removed from their hinges.
- x. There were baseboards missing throughout the unit.
- y. There was water staining observed along the kitchen ceiling.
- z. The kitchen windowpane was broken. The window had been covered by plastic and particleboard.
- aa. There was no stove installed in the kitchen.
- bb. There were holes in portions of the drywall installed behind the kitchen cabinetry.
- cc. There were several sections of kitchen cabinetry that were missing or damaged.
- dd. There was no smoke alarm installed near the bedrooms.
- ee. The window glass on the interior front door was broken.
- ff. The bedroom window locks were in disrepair throughout the unit.
- gg. The window in the southeast bedroom was too small for emergency egress. The window was also obstructed at the time of inspection.
- hh. The thermostat was missing its cover and electrical wires were protruding from the component.
- ii. The electrical breaker box was missing its cover.
- jj. There were mouse droppings observed throughout the unit.
- kk. There was no electrical or water services within the unit. The temperature within the unit was also inadequate.

Unit 301:

- ll. The caulking installed along the back of the kitchen counter was in disrepair.
- mm. There was water staining observed on several portions of the ceiling throughout the unit.
- nn. The east bedroom door frame was damaged.
- oo. There were several holes throughout the drywall in the unit.
- pp. The balcony was in disrepair. Wood along the guard rail was rotted, the rail was beginning to detach in the corner. There was also a noticeable slant along the base of the balcony.
- qq. The mechanical ventilation cover in the washroom was detached.
- rr. The bathtub caulking was in disrepair. The caulking was worn along the tub surround and faucets.
- ss. The toilet was not functional at the time of inspection.

- tt. There was no smoke alarm installed near the bedrooms.
- uu. There were mouse droppings observed throughout the unit.
- vv. There was no electrical or water services within the unit. The temperature within the unit was also inadequate.

Unit 401:

- ww. There were electrical cover plates missing throughout the unit.
- xx. The disposal pipe had been removed from the kitchen sink.
- yy. There was no water connected to the unit. The water had been turned on at the meter but subsequently shut off due to leaking pipes.
- zz. The base of the cabinetry under the kitchen sink was in disrepair.
- aaa. There was a portion of the shower wall that was missing its tiles. The area was comprised of drywall and mold growth was observed in the space.
- bbb. The toilet was not functional at the time of inspection.
- ccc. There was no smoke alarm installed near the bedroom.
- ddd. There were mouse droppings observed throughout the unit. The occupant also expressed issues with cockroaches on-site.

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. Items (a, m, n, s, y, mm, nn, pp, zz) 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. Items (b, c) are in contravention of Section III(2)(a) of the Minimum Housing and Health Standards, which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- c. Items (d, t, jj, uu, ddd) are in contravention of Section V(16)(a) of the Minimum Housing and Health Standards, which states that: The owner shall ensure that the housing premises are free of insect and rodent infestations.
- d. Items (e, g, i, j, v, w, x, oo) 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.
- e. Items (f, u, ii, hh, ww) are in contravention of Section IV(11) of the Minimum Housing and Health Standards, which states that: Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
- f. Item (h) is in contravention of Section III(5)(b) of the Minimum Housing and Health Standards, which states that: 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.
- g. Items (k, ll) are in contravention of Section IV(14)(a)(iii) of the Minimum Housing and Health Standards, which states that: Every housing premises shall be provided with a food preparation area, which includes: A counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.

- h. Items (l, p, qq, rr, aaa) are in contravention of Section III(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.
- i. Items (o, q, ss, xx, bbb) are in contravention of Section IV(6)(a) of the Minimum Housing and Health Standards, which states that: 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.
- j. Items (r, dd, tt, ccc) are in contravention of Section IV(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.
- k. Items (z, ee) 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.
- l. Item (aa) is in contravention of Section IV(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: A stove and a refrigerator that are maintained in a safe and proper operating condition.
- m. Items (bb, cc) are in contravention of Section IV(14)(a)(ii) of the Minimum Housing and Health Standards, which states that: Every housing premises shall be provided with a food preparation area, which includes: Cupboards or other facilities suitable for the storage of food.
- n. Item (ff) 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.
- o. Item (gg) is in contravention of Section III(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”).
- p. Items (kk, vv, yy) are in contravention of Section IV(8)(d) of the Minimum Housing and Health Standards, which states that: Every owner must ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant.

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 February 29, 2024.
2. 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 staircase between Unit 201 and 301.
 - b. Repair or replace the damaged roof shingles.

- c. Repair the damage to the parging/cladding and deteriorated concrete on the exterior of the dwelling.
- d. Hire the services of a professional pest control company to inspect, treat, and eradicate the pest infestation. Provide documentation of the work completed to an Executive Officer of Alberta Health Services.
- e. Refinish the damaged flooring in the utility room.
- f. Install electrical cover plates in all required areas.
- g. Repair the damaged portions of ceiling in Units 101, 201, and 301.
- h. Repair or replace the damaged flooring in Units 101 and 201.
- i. Repair the damaged portions of the drywall in Units 101, 201, and 301.
- j. Remove and replace the kitchen countertop caulking in Units 101 and 301.
- k. Repair or replace the damaged washroom cabinetry in Unit 101. Ensure the source of the water infiltration is identified and corrected, and any water damaged and/or moldy materials are removed and replaced.
- l. Remediate the area affected by mold growth in Unit 101. Ensure the source of the mold is identified and corrected to prevent future mold growth.
- m. Replace the bathtub handle in Unit 101.
- n. Properly affix the mechanical ventilation covers in the washrooms of Units 101 and 301.
- o. Install the disposal pipes to the washroom sink in Unit 101 and kitchen sink in 401.
- p. Install functioning smoke alarms in all required areas of bedrooms.
- q. Replace the entrance door to Unit 101.
- r. Install all missing doors in Unit 201.
- s. Install the missing baseboards in Unit 201.
- t. Replace the broken glass in the kitchen window and door in Unit 201.
- u. Install a functional kitchen stove in Unit 201.
- v. Repair and replace all missing kitchen cabinetry in Unit 201.
- w. Repair or replace the bedroom window locks in Unit 201.
- x. Replace the southeast bedroom window in Unit 201 so that it meets the requirements of emergency egress.
- y. Replace the cover on the thermostat in Unit 201.
- z. Replace the cover on the electrical breaker box in Unit 201.
- aa. Restore and maintain the electrical, water, and gas to all units.
- bb. Repair or replace the east bedroom door frame in Unit 301.
- cc. Assess the structural integrity of the balcony in Unit 301. Ensure any damaged materials are repaired or replaced.
- dd. Remove and replace the caulking around the bathtub/shower surround in Unit 301. Ensure the joints between the shower surround and wall form a watertight seal with one another.
- ee. Repair the toilets in Units 301 and 401. Ensure functioning washroom facilities are consistently available to occupants.
- ff. Repair or replace the damaged kitchen cabinetry in Unit 401. Ensure the source of the water infiltration is identified and corrected, and any water damaged and/or moldy materials are removed and replaced.
- gg. Refinish the shower wall in Unit 401. Ensure the area is smooth, non-absorbent to moisture, easy to clean, and forms a watertight joint with adjoining structures.

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, February 14, 2024.

Confirmation of a verbal order issued to Kenneth McLeod on February 8, 2024.

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>

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