

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

To: 2329402 ALBERTA INC. Roman Bouz
"the Owner" "the Owner"

Emanuel Ferreira Salvador Villanueva
"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:
11919 77 Street NW, T5E 2G5

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. Evidence of water infiltration including water staining and high moisture readings in the following areas: the ceiling and carpet of the back bedroom, the ceiling and East wall of the back porch, and the carpet and North wall of the front bedroom.
- b. There was water infiltration in the crawl space.
- c. The washroom sink was leaking with water draining onto the washroom floor.
- d. Water damage building material surrounding crawl space access hatch in the bathroom.
- e. There were mice droppings present in the kitchen behind the refrigerator.
- f. None of the window locks worked and some were noted to be missing.
- g. The kitchen cupboard and countertop between the stove and the refrigerator was not properly secure.

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. Evidence of water infiltration including water staining and high moisture readings in the following areas: the ceiling and carpet of the back bedroom, the ceiling and East wall of the back porch, and the carpet and North wall of the front bedroom. This is in contravention of Section 3(1)(a)(iv) of the Housing Regulation, which state "an owner shall ensure that (a) the housing premises are (iv) maintained in a waterproof, windproof and weatherproof condition;"
- b. There was water infiltration in the crawl space observed through the access hatch in the bathroom. This is in contravention of Section 1(b) of the Minimum Housing and Health

Standards, which states” Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.

- c. The washroom sink was leaking with water draining onto the washroom floor. This is in contravention of Section 6(a) & (c) of the Minimum Housing and Health Standards which states “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. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”
- d. Water damage building material surrounding crawl space access hatch in the bathroom. This is in contravention of Section 1(c) of the Minimum Housing and Health Standards which states “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
- e. There were mice droppings present in the kitchen behind the refrigerator. This is in contravention of Section 16(a) of the Minimum Housing and Health Standards, which states “The owner shall ensure that the housing premises are free of insect and rodent infestations;”
- f. None of the window locks worked and some were noted to be missing. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards, which states “Exterior windows and doors shall be capable of being secured.”
- g. The kitchen cupboard and countertop between the stove and the refrigerator was not properly secure. This is in contravention of Section 14(a)(ii)&(iii), which states “(ii) cupboards or other facilities suitable for the storage of food; and (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned;”

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 August 25, 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. Investigate and abate the source of the leak in the main floor bedrooms, and back porch. Provide information on the source of water and plans to repair issues to the offices of Environmental Public Health.
 - b. Investigate and abate the source of the water infiltration in the crawl space. Provide information on the source of water and plans to repair issues to the offices of Environmental Public Health.
 - c. Repair the plumbing in the bathroom sink and ensure it is in proper operating condition.
 - d. Ensure that all rotted and damaged building material is removed and replaced.
 - e. Hire a licensed pest control company to complete inspection of home and send copies of the reports to the office of Environmental Public Health.
 - f. Ensure window locks are installed and that all external windows lock.

- g. Ensure that the cupboard and countertop between the oven and refrigerator is secure.
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, August 28, 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>

Edmonton • Environmental Public Health
Suite 700, 10055 – 106 Street NW, Edmonton, AB T5J2Y2

<https://www.ahs.ca/eph>