

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

To: Walter Dmytrowich Joan Dmytrowich
 "the owner" "the owner"

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

RE: The housing premises located in Edmonton, Alberta and municipally described as:
Basement Suite, 12948 125 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:

- a. There was water accumulation on the bathroom floor, reportedly the water was from the shower stall.
- b. There was water damage and mould growth on the bathroom wall base/baseboard.
- c. There was damage on the bathroom ceiling, ceiling tiles were missing or broken, exposing damaged/displaced wood studs.
- d. There was damage on the kitchen ceiling, paint peeling and cracks were observed on some ceiling tiles.
- e. There was no smoke alarm installed in the premises, or the smoke alarm was missing.
- f. The bedroom window openings were too small for egress purposes.

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 water accumulation on the bathroom floor, reportedly the water was from the shower stall. This is in contravention of section III 5(a) of the Minimum Housing and Health Standards which states: 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. There was water damage and mould growth on the bathroom wall base/baseboard. This is in contravention of section III 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.

- c. There was damage on the bathroom ceiling, ceiling tiles were missing or broken, exposing damaged/displaced wood studs. This is in contravention of section III 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.
- d. There was damage on the kitchen room ceiling, paint peeling and cracks were observed on some ceiling tiles. This is in contravention of section III 5 of the Minimum Housing and Health Standards which states: 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. There was no smoke alarm installed in the premises, or the smoke alarm was missing. This is in contravention of section IV 12 of the Minimum Housing and Health Standards which states that: Smoke alarm 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 alarm shall be operational and in good repairs at all times.
- f. The bedroom window openings were too small for egress purposes. This is in contravention of section III 3 (b) (i and ii) 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 (3.8 ft²), with no dimension less than 380 mm (15”).

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 5, 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 shower stall to ensure it is sealed properly and no water leaking to the outside.
 - b. Remove and replace all damaged or mouldy building material in the bathroom.
 - c. Repair or replace the damaged ceiling tiles in the bathroom and the kitchen room, ensure all ceilings are maintained in good repair and in a condition that renders it easy to clean.
 - d. Install a functional smoke alarm between the sleeping areas and the remainder of the suite.
 - e. Replace or modify the bedroom windows so that they meet emergency egress requirements.
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, January 29, 2024.

Executive Officer
Alberta Health Services

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 Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

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 www.qp.gov.ab.ca.

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 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>