

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

To: Omar Hammoud
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
13240 108 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. The concrete steps on the exterior front stairs were in disrepair, the bottom step was damaged with a hole and exposed steel.
- b. There was water damage and mould growth in the kitchen sink cabinet.
- c. There was water damage and possible mould growth on the upstairs bathroom ceiling, a hole and paint peeling was observed.
- d. The vent cover on the upstairs bathroom ceiling was missing during the inspection.
- e. There were paint peelings in numerous locations on the ceilings and walls throughout the premises.
- f. There were broken and lifting tiles on the floor coverings in multiple locations on the premises.
- g. Baseboard missing was observed in numerous locations throughout the premises.
- h. There was evidence of roof leaking on the premises: the adjacent neighbour's roof and soffit were damaged and reportedly caused leaking into the premises.
- i. There was leaking under the main-floor bathroom sink, a basket was set up to catch water.
- j. There was a man staying in the basement room where the window opening was too small for emergency egress function.

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) is in contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards that states: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, 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.
- b. Item (a, b and c) are in contravention of section III (1) (c) of the Minimum Housing and Health Standards that states: Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- c. Item (c, d, e, f and g) are in contravention of section III(5) of the Minimum Housing and Health Standards that 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. (b) 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.
- d. Item (h) is in contravention of section III (2) (a) of the Minimum Housing and Health Standards which states: Roof and exterior cladding The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- e. Items (i) is 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.
- f. Item (j) is in contravention of section 5(2) of the Housing Regulation (AR 173/99) that states: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.

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 25, 2021
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. You must retain the services of an Environmental Consultant or Industrial/Occupational Health Hygienist, that must be approved by Alberta Health Services and prior to the commencement of renovation or repairs:

As this premise was built prior to 1990, the presence of asbestos within building materials is likely thus all precautions must be taken. The consultant must assess the conditions within the above noted premises including performing applicable sampling for asbestos containing materials.

In the event asbestos is present provide Environmental Public Health with a written asbestos management/abatement plan in accordance with the Alberta Occupational Health and Safety Code for Asbestos abatement. Ensure proper removal/handling of impacted materials follow current codes and standards.

Have the environmental consultant assess the conditions within the above noted premises for all water damaged materials and mould. A full pre mould remediation inspection report is required. At a minimum the report must describe the building construction, finishes, materials and components and recommendations for restoration. All hazardous building materials are to be properly managed and disposed of in accordance with government standards and guidelines and industry codes of practice. Once the materials have been removed and a post mould remediation report is required this will include photographic evidence that all moldy material has been removed and environmental air quality sampling. Testing and reporting shall follow the requirements outlined in Alberta Health Services' Fungal Air Testing Protocol.

- b. Repair or replace the exterior front steps so it is in good repair and complies with the current Alberta Building Code requirements.
 - c. Hire a qualified roofer to assess the conditions of the roof, and conduct repairs accordingly.
 - d. Remove and replace all damaged or mouldy material.
 - e. Repair or replace all damaged ceilings, drywalls and floor coverings, ensure all walls, ceilings, floors, and floor coverings are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
 - f. Repair the plumbing leak and any other sources of moisture in the premises.
 - g. Ensure the room in the basement is not used for sleeping purposes, OR to modify the window to meet the emergency egress requirements which can stay open on its own and provide an opening of at least 0.35m² for egress.
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 18, 2021.

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 Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

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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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