

ORDER OF AN EXECUTIVE OFFICER

To: Adam Luv
"The Owner"

Roy Kerr
"Property Manager"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
9704 115 Avenue NW – Unit 3
Lot 27, 28, 29, 20, Block 5, Plan RN43

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 ambient temperature in the kitchen was 17.6C, 19C in the living room, and 20.8C in the bedroom.
- b. The primary heating system is unable to maintain the minimum required temperature of 22 degrees C.
- c. The tenant is using secondary heating devices (e.g., stove in the kitchen and portable space heater in the living room) that are also not able to maintain the minimum required temperature of 22 degrees C.
- d. There was an extension cord that was running from a suite above into suite 3.
- e. The p trap plumbing was disconnected under the bathroom sink. A bucket was present to catch water under the bathroom sink.
- f. There was a hole on the wall around the plumbing under the bathroom sink.
- g. The kitchen window only had one out of the four panes of glass therefore was not secured.
- h. Smoke alarm was missing outside the bedroom.
- i. The window in the dining room had 1 panes of glass installed and was missing 3 panes of glass.
- j. The living room window had a gap between two panes of glass that were installed.
- k. The living room window was missing 3 panes of glass.
- l. The bedroom had 2 panes of glass and was missing 2 panes of glass.

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 and b are in contravention of section 8(a)(i) of the Minimum Housing and Health Standards which states that all heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of; (i) at least 22C(71F).

- b. Item c is in contravention of section 8(c) of the Minimum Housing and Health Standards which states that cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room.
- c. Item d is in contravention of section 5(2) of the Housing Regulation Alberta Regulation 173/99 which states that 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.
- d. Item e is in contravention of section 6 of the Minimum Housing and Health Standards which states that Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. (a) 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. Section 6(c) of the Minimum Housing and Health Standards states that all plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- e. Item f is in contravention of section 5(a) 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.
- f. Item g is in contravention of section 3(a) of the Minimum Housing and Health Standards which states that Exterior windows and doors shall be capable of being secured.
- g. Item h 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. Section 12(a) of the Minimum Housing and Health Standards states that smoke alarms shall be operational and in good repair at all times.
- h. Items i, j, k and l are in contravention of section 2(b)(ii) of the Minimum Housing and Health Standards which states that in housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure that the habitable rooms and bathroom is maintained at a temperature of at least 22C (71F).
 - b. Ensure that cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room.
 - c. Ensure that the dining room, living room window and bedroom window protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.
 - d. Ensure that an extension cord is not running from another suite to this suite.
 - e. Ensure the bathroom plumbing under the bathroom sink is reconnected and in proper working order.
 - f. Ensure that section 5 of the Minimum Housing and Health Standard is complied with for the finish under the bathroom sink.

- g. Ensure the kitchen window is capable of being secured.
- h. Ensure that a functional smoke alarm is 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.

2. The work referred to in paragraph 1 shall be completed by Friday, December 16, 2022.

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, December 5, 2022

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 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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