

ORDER OF AN EXECUTIVE OFFICER UNFIT FOR HUMAN HABITATION ORDER TO VACATE

To: 927676 Alberta Ltd. and Real Property Management Results
"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:
Unit 10 – 10018 112 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. Strong sewage odour and visual evidence indicated a significant sewage and mould contamination in the bathroom.
- b. The west and north walls in the bathroom have been removed. Majority of the bathroom ceiling has remained. Considering the sewage leak was coming from the floor above, it is highly likely the bathroom ceiling was contaminated by sewage and mould as well.
- c. Plumbing in the building was defective causing sewage leaks.
- d. A functional bathroom was not available to the occupant during the extensive decontamination, mould remediation, and rebuild activities.

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. Sewage and mould contamination in the bathroom is in contravention of section 5(2) of the Housing Regulation which 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.*"
- b. Sewage and mould damaged walls and ceiling in the bathroom are in contravention of section 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."

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 and shower.””

- c. Defective plumbing causing sewage leaks is in contravention of section 6(a) 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.*”
- d. Lack of washroom facilities in a housing premises is in contravention of section 7 of the Minimum Housing and Health Standards which states: “*Except where exempt by regulation, every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower.*”

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Unfit for Human Habitation**.

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

- 1. That the occupants vacate the above noted premises on or before **Oct 27, 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. Determine and eliminate the source(s) of sewage leak. Do necessary repairs to the plumbing system.
 - b. Complete mould remediation and decontamination by a competent consultant or contractor. Ensure all materials that have been contaminated by sewage or mould are properly removed and discarded; contaminated materials that cannot not be removed such as wood studs and slats are washed, sanitized, and thoroughly dried. The scope of the decontamination and mould remediation may need to be expanded beyond the bathroom in unit 10, when additional contamination is found.

Submit to the undersign the name, contact information, and qualifications of the consultant or contractor; a report from the contractor or consultant detailing the work that was completed; and fungal air clearance test results.
 - c. After 2a & 2b are complete, restore the interior finishes and plumbing fixtures in the bathroom as per the Alberta Building Code and Minimum Housing and Health Standards.
- 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 vacant and secure from unauthorized entry.

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, Oct 25, 2023

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>