

ORDER OF AN EXECUTIVE OFFICER

To: Leslie Michaelson Rob Mastrodimos
 "the Owner" "the Owner"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:

 10457 77 Avenue NW Edmonton, AB T6E 1M8

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 windows in the basement were too small to meet emergency egress requirements. The openable area of the window in the living room/bedroom measured 15.5" x 17" (1.83 ft²). The openable area of the window in the bedroom measured 10.5" x 10.5" (0.77 ft²).
- b. The distance between individual treads on the stairwell (i.e. the rise of the stairs) to the basement was >8". The distance between the treads measured between 10" and 11".
- c. The concrete steps at the back of the home were significantly sloped.
- d. There was no smoke alarm installed between the kitchen and the upstairs SE bedroom.

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. The windows in the basement were too small to meet emergency egress requirements. The openable area of the window in the living room/bedroom measured 15.5" x 17" (1.83 ft²). The openable area of the window in the bedroom measured 10.5" x 10.5" (0.77 ft²). This is in contravention of Section 3(b)(i) and 3(b)(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 (3.8ft²), with no dimension less than 380 mm (15")."
- b. The distance between individual treads of the treads on the stairwell (i.e. the rise of the stairs) to the basement was >8". The distance between the treads measured between 10" and 11". This is in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards, which states that "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."
- c. The concrete steps at the back of the home were significantly sloped. This is in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards, which

states that "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."

- d. There was no smoke alarm installed between the kitchen and the upstairs SE bedroom. This 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. (a) Smoke alarms shall be operational and in good repair at all times."
- e. The basement bedroom window was broken. The window in the NE bedroom (upstairs) was broken. This is in contravention of Section 2(b)(i) of the Minimum Housing and Health Standards, which states that "All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof."
- f. The wood along the handrail at the front entrance of the home was rotted. This is in contravention of Section 1(c) of the Minimum Housing and Health Standards, which states that "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- g. The cover for the overflow drain in the upstairs shower was missing. This is in contravention of Section 6(a) of the Minimum Housing and Health Standards, which states that "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."
- h. A number of the finishes throughout the home were in disrepair. This included: the walls in the upstairs living room (which had cracks present), the flooring in the upstairs bathroom and kitchen (which was torn in a number of places), the wall in the upstairs bathroom (which had a large hole present), the walls in the upstairs kitchen (which had a number of holes present), the walls in the SE bedroom (which had holes present), the carpeted flooring in the basement living room (which was not secured to the floor), and the tiles within the basement bathroom (which were cracked). This is in contravention of Section 5 of the Minimum Housing and Health Standards, which states that "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) Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean."
- i. The vanity in the upstairs bathroom was not installed flush to the wall. This is in contravention of Section 5(a) of 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."

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. Replace the windows in the basement bedrooms with those that provide an unobstructed, openable area of at least 3.8 feet squared (with no dimension less than 15 inches). Alternatively, these spaces cannot be used as bedrooms.
 - b. Repair the stairs to the basement to ensure the rise between treads is between 4.92" (125 mm) and 7.87" (200 mm) while also being uniform in height.
 - c. Repair the concrete steps at the back of the home to ensure they are level.
 - d. Install a smoke alarm between the SE upstairs bedroom and the remainder of the unit.
 - e. Replace the broken windows in the upstairs NE bedroom and the basement bedroom.
 - f. Remove and replace the rotted wood along the handrail at the entrance of the home.
 - g. Replace the missing cover for the overflow drain in the upstairs shower.
 - h. Repair the following finishes (to ensure all surfaces are smooth, impervious to moisture, and easy to clean): the walls in the upstairs living room (which were cracked), the flooring in the upstairs bathroom and kitchen (which were torn in a number of places), the walls in the upstairs kitchen (which had a number of holes present), the walls in the SE bedroom (which had holes present in the walls), the carpeted flooring in the basement living room (which was not secured to the floor), and the tiles within the basement bathroom (which were cracked).
 - i. Install the vanity in the upstairs bathroom flush to the wall. Seal the gaps between the vanity and the wall to ensure the surfaces are smooth, impervious to moisture, and easy to clean.
2. The work referred to in paragraph 1(a & d) shall be completed by April 24.
The work referred to in paragraph 1(b, c, e, f, g, h, i) shall be completed by May 13, 2024.

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, April 9, 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 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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www.albertahealthservices.ca/eph.asp