

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

To: 2329402 Alberta Inc. Roman Bouz
"the Owner" "the Owner"

Emanuel Ferreira Salvador Villanueva
"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:
11618 89 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 insufficient heat on-site. The indoor temperatures ranged from 4-9°C. Occupants were using a temporary heating appliance to warm the space.
- b. There were no smoke alarms installed near the main floor or upstairs bedrooms.
- c. There was evidence of a mouse infestation on-site. Numerous amounts of droppings were observed throughout the dwelling.
- d. The window in the south bedroom on the main floor did not properly sit in its frame.
- e. There was no handrail installed along the basement staircase.
- f. There was evidence of water infiltration along the brick wall in the upstairs storage room.
- g. The main floor and upstairs bathtub enamel was peeling.
- h. The mechanical ventilation in the main floor washroom was inoperable. There was a window installed but it was missing its handle and could not be opened.
- i. The flooring installed in front of the kitchen sink was in disrepair. The floor had begun to separate, was soft, and would dip down when stepped upon.
- j. The floorboards installed in the main floor washroom and adjoining hall space had begun to separate.
- k. The laundry sink faucet was leaking.
- l. The guard installed along the exterior front staircase was in disrepair. The guard was insecure, and the spindles had disconnected from the steps.
- m. The guard installed along the exterior side staircase was too low. The guard measured 31 inches in height, with a fall height greater than six feet.
- n. The foundation on the south side of the dwelling was sitting at a noticeable slant.

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 insufficient heat on-site. The indoor temperatures ranged from 4-9°C. Occupants were using a temporary heating appliance to warm the space. This is in contravention of Section IV(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 within the building to a temperature of at least 22°C.
- b. There were no smoke alarms installed near the main floor or upstairs bedrooms. This is in contravention of Section IV(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.
- c. There was evidence of a mouse infestation on-site. Numerous amounts of droppings were observed throughout the dwelling. This is in contravention of Section V(16)(a) of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises are free of insect and rodent infestations.
- d. The window in the south bedroom on the main floor did not properly sit in its frame. This is in contravention of Section III(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.
- e. There was no handrail installed along the basement staircase. This is in contravention of Section III(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.
- f. There was evidence of water infiltration along the brick wall in the upstairs storage room. This is in contravention of Section 3(1)(a)(iv) of the Housing Regulation which states that: An owner shall ensure that (a) the housing premises are (iv) maintained in a waterproof, windproof and weatherproof condition.
- g. The main floor and upstairs bathtub enamel was peeling. This is in contravention of Section III(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.
- h. The mechanical ventilation in the main floor washroom was inoperable. There was a window installed but it was missing its handle and could not be opened. This is in contravention of Section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
- i. The flooring installed in front of the kitchen sink was in disrepair. The floor had begun to separate, was soft, and would dip down when stepped upon. This is in contravention of Section III(1)(a) and III(5) of the Minimum Housing and Health Standards which states that: The housing premises shall be structurally sound (1)(a), and; 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 (5).

- j. The floorboards installed in the main floor washroom and adjoining hall space had begun to separate. This is in contravention of Section III(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.
- k. The laundry sink faucet was leaking. This 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.
- l. The guard installed along the exterior front staircase was in disrepair. The guard was insecure, and the spindles had disconnected from the steps. This is in contravention of Section III(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.
- m. The guard installed along the exterior side staircase was too low. The guard measured 31 inches in height, with a fall height greater than six feet. This is in contravention of Section III(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.
- n. The foundation on the south side of the dwelling was sitting at a noticeable slant. This is in contravention of Section III(1)(a) of the Minimum Housing and Health Standards which states that: The housing premises shall be structurally sound.

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 March 25, 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 heating system to ensure the temperature in all habitable rooms can reach at least 22°C.
 - b. Install functioning smoke alarms in the required areas.
 - c. Hire the services of a professional pest control company to inspect, treat, and eradicate the mouse infestation. Provide documentation of the work completed to an Executive Officer of Alberta Health Services.
 - d. Repair the window to ensure weatherproofing.
 - e. Install a proper handrail along the basement staircase.
 - f. Investigate and repair the source of the water infiltration. Ensure any water damaged and/or moldy materials are removed and replaced.
 - g. Repair or replace the damaged bathtubs.
 - h. Repair or replace the washroom ventilation. Ensure a form of mechanical or natural ventilation is consistently provided and accessible.

- i. Assess the floor structure to ensure the dwelling is sound. Ensure all damaged portions of the kitchen flooring are repaired or replaced.
 - j. Repair or replace the damaged flooring.
 - k. Repair the leak coming from the faucet.
 - l. Repair or replace the guard installed along the exterior front staircase.
 - m. Increase the height of the guard along the exterior side staircase to a height of at least 36 inches to ensure the requirements of the Alberta Building Code are met.
 - n. Hire the services of a structural engineer or foundation repair professional to assess the foundation on the dwelling. Provide a copy of the reports generated by the structural engineer/foundation repair professional to Alberta Health Services Environmental Public Health.
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, February 28, 2024.

Confirmation of a verbal order issued for Salvador Villanueva on February 23, 2024.

Executive Officer
Environmental Health Officer

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>