

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

**To:** Art Invest Inc. Roman Bouz Dionne Mascarenhas  
"the Owner" "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:  
11832 78 Street NW T5B2J4

**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. Active water leak from main floor bathroom noted in the basement, significant water damage noted throughout the basement.
- b. Visible mould like growth noted on the north wall of the basement.
- c. Water damage noted on wall behind kitchen sink.
- d. All bedroom emergency egress windows were noted screwed shut and/or obstructed.
- e. Openable area for upstairs north bedroom window measured at 22 inches by 20 inches.
- f. No operational smoke alarm installed adjacent to sleeping areas.
- g. Main floor toilet was not operational.
- h. Side exterior door noted kicked off hinges.
- i. Front entryway window noted broken.
- j. Multiple outlet/switch covers and electrical fixtures noted missing, exposed wiring electrical wiring noted throughout.
- k. Front porch guards/railing noted in disrepair.
- l. No handrail along the stairs leading to the basement.

**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. Active water leak from main floor bathroom noted in the basement, significant water damage noted throughout the basement. This 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."
- b. Visible mould like growth noted on the north wall of the basement. This 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.”
- c. Water damage noted on wall behind kitchen sink. 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.”
  - d. All bedroom emergency egress windows were noted screwed shut and/or blocked. This is in contravention of section 3(b)(ii) of the Minimum Housing and Health Standards, which states that “Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).”
  - e. Openable area for upstairs north bedroom measured at 22 inches by 20 inches. This is in contravention of section 3(b)(ii) of the Minimum Housing and Health Standards, which states that “Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).”
  - f. No operational smoke alarm installed in the unit. 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.”
  - g. Main floor toilet was not operational. This is in contravention of section 7 of the Minimum Housing and Health Standards which states that: “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.”
  - h. Side exterior door noted kicked off hinges. 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.”
  - i. Front entryway window noted 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.”
  - j. Multiple outlet/switch covers and electrical fixtures noted missing, exposed wiring electrical wiring noted throughout. This is in contravention of section 11 of the Minimum Housing and Health Standards which states that: “Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”
  - k. Front porch guards/railing noted in disrepair. 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.”
  - l. No handrail along the stairs leading to the basement. 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.”

**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 July 23, 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. Secure all entry points of the building to ensure that the housing premises does not present a condition that is or may become injurious or dangerous to public health.
  - b. Find and repair source of water leak in basement and behind kitchen sink.
  - c. Remove all water damaged and/or mouldy materials, clean and disinfect the area, allow the space to dry and then replace with new materials. Ensure any repairs are conducted in compliance with Alberta Occupational Health & Safety (OHS) requirements for asbestos removal/abatement.
  - d. Install a functional smoke alarm in or adjacent to all sleeping areas.
  - e. Repair/replace bedroom egress windows so they may provide an unobstructed opening of at least 0.35 square meters (3.8 square feet) with no dimension less than 380 millimeters (15 inches).
  - f. Repair/Replace all exterior doors and windows so they are in good working condition, weatherproof and free of cracks.
  - g. Conduct work needed to ensure all bathroom are equipped with an operational flush toilet, wash basin and bathtub/shower all in good repair.
  - h. Install all missing outlet/switch covers and electrical fixtures, properly secure exposed wires and ensure these are maintained in a good and safe working condition.
  - i. Repair front porches so all steps, treads, risers, supporting structural members, handrails, and guards are maintained in good repair and comply with the requirements of the Alberta Building Code or a Professional Engineer design.
  - j. Ensure all walls, ceilings, flooring, and floor coverings are in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
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, July 17, 2024

Confirmation of a verbal order issued to Dionne Mascarenhas on July 16, 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](mailto: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>

Copy City of Edmonton