

ORDER OF AN EXECUTIVE OFFICER

To: 1800931 Alberta Ltd. Kenneth McLeod
"the Owner" "Director"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
11520 85 Street NW, Units 101-401.

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. Electrical cover plates were missing:
 - in the bathroom and bedroom of unit 101,
 - in the east room, playroom, and kitchen of unit 201
 - in the bathroom of unit 401
- b. The connection point securing the east exterior stairs to the building between suite 201 and 301 is separated. A missing bolt was observed, and the connection point has deteriorated.
- c. The parging/cladding material is missing in several areas of the building exterior, along with deterioration to the concrete under the missing parging material.
- d. The balcony landing has noticeable deterioration from water damage in unit 301.
- e. The kitchen sink faucet is not properly secured to the counter in unit 301.
- f. A broken pane was present on the south glass storage door in unit 401.
- g. Sections of the flooring tile in the kitchen and hallway of unit 101 are cracked and missing pieces.
- h. A section of the drywall in the ceiling of unit 101 has been removed to make waterline repairs. Unfinished particle board is used to cover the missing drywall.
- i. No floor covering installed in the east room of unit 201. Bare concrete surface that is not smooth or easily cleanable observed.
- j. A hole in the drywall was observed in the rear entry to the kitchen behind the door in unit 201.
- k. Caulking was missing or peeling around the bathtub, tub surround, faucet, and showerhead in unit 301.
- l. Parging and underlaying concrete in the basement stairwell on the premises exterior is in disrepair and showing significant signs of deterioration.
- m. Exterior cladding was missing from the front balcony landing.
- n. The kitchen windowpane is broken in unit 201. It has been covered by plastic and barricaded by a sheet of loose particle board.
- o. Insect screens were missing for all windows in unit 201.
- p. The roof shingles are worn and lifting on the outside of unit 401.
- q. Caulking behind and around the kitchen sink in unit 101 was peeling or missing.
- r. Kitchen cabinet door hinges are broken, and multiple cabinet doors are missing in unit 201.
- s. Caulking is worn along the back of the kitchen counter in unit 301. Visible deterioration observed.

- t. Materials are worn, damaged and/or rotten under the kitchen sink in unit 301. Material is no longer secure, smooth, or easily cleanable.
- u. Mouse droppings were noted in unit 201 and in the utility/furnace room.
- v. Mouse droppings were observed on the kitchen stove and under the kitchen sink in unit 301.
- w. Evidence of bed bugs and cockroaches are noted in unit 301.
- x. Guards are broken at the back exterior south main floor suite landing.
- y. The locks for the windows on the northwest and southwest rooms in unit 201 remain in disrepair. A piece of wood is being used to keep the windows locked.
- z. Smoke alarms were not mounted in place in unit 201 and entirely missing in unit 401.
- aa. The bathtub faucet handle had been completely removed in unit 201.

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. Electrical covers were missing in several areas and multiple units. **This is in contravention of section 11 of the Minimum Housing and Health Standards which states:** *Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.*
- b. The connection point securing the east exterior stairs to the building between suite 201 and 301 is separated. A missing bolt was observed, and the connection point has deteriorated. **This is in contravention of section 1 (a, c, d) of the Minimum Housing and Health Standards which states:** *(a) the housing premises shall be structurally sound, (d) repairs or modifications of any structural element of the housing premises may require the design and/or supervision of a professional structural engineer or a Safety Codes Officer (Building Discipline), (c) building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.*
- c. The parging/cladding material is missing in several areas of the building exterior, along with deterioration to the concrete under the missing parging material. **This is in contravention of section 1 (a, c, d) of the Minimum Housing and Health Standards which states:** *(a) the housing premises shall be structurally sound, (d) repairs or modifications of any structural element of the housing premises may require the design and/or supervision of a professional structural engineer or a Safety Codes Officer (Building Discipline), (c) building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.*
- d. The balcony landing has noticeable deterioration from water damage in unit 301. **This is in contravention of section 1 (a, c, d) of the Minimum Housing and Health Standards which states:** *(a) the housing premises shall be structurally sound, (d) repairs or modifications of any structural element of the housing premises may require the design and/or supervision of a professional structural engineer or a Safety Codes Officer (Building Discipline), (c) building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.*
- e. The kitchen sink faucet is not properly secured to the counter in unit 301. **This is in contravention of section 1 (a, c) of the Minimum Housing and Health Standards which states:** *(a) the housing premises shall be structurally sound, (c) building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.*
- f. A broken pane was present on the south glass storage door in unit 401. **This is in contravention of section 1 (a, c) of the Minimum Housing and Health Standards**

- which states:** (a) *the housing premises shall be structurally sound, (c) building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.*
- g. Sections of the flooring tile in the kitchen and hallway of unit 101 are cracked and missing pieces. **This is in contravention of sections 5 and 5 (b) 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, (b) rooms and sections of rooms that are used for food preparation and cooking shall have floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.*
- h. A section of the drywall in the ceiling of unit 101 has been removed to make waterline repairs. Unfinished particle board is used to cover the missing drywall. **This is in contravention of section 5 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.*
- i. No floor covering installed in the east room of unit 201. Bare surface that is not smooth or easily cleanable observed. **This is in contravention of sections 5 and 5 (b) 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, (b) rooms and sections of rooms that are used for food preparation and cooking shall have floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.*
- j. A hole in the drywall was observed in the rear entry to the kitchen behind the door in unit 201. **This is in contravention of section 5 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.*
- k. Caulking was missing or peeling around the bathtub, tub surround, faucet, and showerhead in unit 301. **This is in contravention of sections 5 and 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, (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.*
- l. Parging and underlayment concrete in the basement stairwell on the premises exterior is in disrepair and showing significant signs of deterioration. **This is in contravention of section 2 (a) of the Minimum Housing and Health Standards which states:** *the roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.*
- m. Exterior cladding was missing from the front balcony landing. **This is in contravention of section 2 (a) of the Minimum Housing and Health Standards which states:** *the roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.*

- n. The kitchen windowpane is broken in unit 201. **This is in contravention of section 2 (b)(i) of the Minimum Housing and Health Standards which states:** *all windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.*
- o. Insect screens were not observed in any of the windows in unit 201. **This is in contravention of section 2 (b)(ii) of the Minimum Housing and Health Standards which states:** *during the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.*
- p. The roof shingles are worn and lifting on the outside of unit 401. **This is in contravention of section 2 (a) of the Minimum Housing and Health Standards which states:** *the roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.*
- q. Caulking behind and around the kitchen sink in unit 101 was peeling or missing. **This is in contravention of section 14 (a)(iii) of the Minimum Housing and Health Standards which states:** *every housing premises shall be provided with a food preparation area, which includes: a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.*
- r. Kitchen cabinet door hinges are broken, and multiple cabinet doors are missing in unit 201. **This is in contravention of section 14 (a)(ii) of the Minimum Housing and Health Standards which states:** *every housing premises shall be provided with a food preparation area, which includes cupboards or other facilities suitable for the storage of food.*
- s. Caulking is worn along the back of the kitchen counter in unit 301. Visible deterioration observed. **This is in contravention of section 14 (a)(iii) of the Minimum Housing and Health Standards which states:** *every housing premises shall be provided with a food preparation area, which includes: a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.*
- t. Materials are worn, damaged and/or rotten under the kitchen sink in unit 301. Material is no longer secure, smooth, or easily cleanable. **This is in contravention of section 14 (a)(ii) and (iii) of the Minimum Housing and Health Standards which states:** *(a)(ii) Every housing premises shall be provided with a food preparation area, which includes cupboards or other facilities suitable for the storage of food, (a)(iii) every housing premises shall be provided with a food preparation area, which includes: a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.*
- u. Mouse droppings were noted in unit 201 and in the utility/furnace room. **This is in contravention of section 16 (a) and (iii) of the Minimum Housing and Health Standards which states:** *The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition, (a) the owner shall ensure that the housing premises are free of insect and rodent infestation, (iii) it is the occupant's responsibility to allow access in accordance to the Residential Tenancy Act to do whatever is necessary to ensure the dwelling unit is ready for pesticide application.*
- v. Mouse droppings were observed on the kitchen stove and under the kitchen sink in unit 301. **This is in contravention of section 16 (a) and (iii) of the Minimum Housing and Health Standards which states:** *The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition, (a) the owner shall ensure that the housing premises are free of insect and rodent infestation, (iii) it is the occupant's responsibility to allow*

- access in accordance to the Residential Tenancy Act to do whatever is necessary to ensure the dwelling unit is ready for pesticide application.*
- w. Evidence of bed bugs and cockroaches are noted in unit 301. **This is in contravention of section 16 (a)(i), (ii) and (iii) of the Minimum Housing and Health Standards which states:** *The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition, (a) the owner shall ensure that the housing premises are free of insect and rodent infestation, (i) all situations requiring the application of pesticides shall be conducted in accordance with the Environmental Protection and Enhancement Act and regulation; and (ii) whenever a pesticide is applied in a dwelling, the occupant shall be notified in accordance with the latest edition of the Environmental Code of Practice for Pesticides published by Alberta Environmental Protection, (iii) it is the occupant's responsibility to allow access in accordance to the Residential Tenancy Act to do whatever is necessary to ensure the dwelling unit is ready for pesticide application.*
 - x. Guards are broken at the back exterior south main floor suite landing. **This is in contravention of section 3 (c)(i) of the Minimum Housing and Health Standards which states:** *guards shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.*
 - y. The locks for the windows on the northwest and southwest rooms in unit 201 remain in disrepair. A piece of wood is being used to keep the windows locked. **This is in contravention of section 3 (a) of the Minimum Housing and Health Standards which states:** *(a) Exterior windows and doors shall be capable of being secured.*
 - z. Smoke alarms were not mounted in place in unit 201 and entirely missing in unit 401. **This is in contravention of section 12 of the Minimum Housing and Health Standards which states:** *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.*
 - aa. The bathtub faucet handle had been completely removed in unit 201. **This is in contravention of section 6(c) of the Minimum Housing and Health Standards which states:** *Every housing premises shall be provided with plumbing fixtures of a bathtub or shower that shall be serviceable, free from leaks, trapped and vented to the outside.*

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. The installation of electrical cover plates in the noted areas.
 - b. Fasten/secure the deteriorated connection point between the east exterior stairs and the building between suite 201 and 301.
 - c. Assess and repair the damage to the parging/cladding and deteriorated concrete on the building.
 - d. Assess and repair the water damage on the balcony landing unit 301.
 - e. Repair the kitchen sink faucet in unit 301.
 - f. Remove the broken pane present on the south glass storage door in unit 401.
 - g. Repair the floor tiles in the kitchen area of unit 101.
 - h. Repair the missing drywall of the ceiling in unit 101.
 - i. Install floor covering in the east room of unit 201.
 - j. Repair the drywall observed by the secondary door for the rear entrance into the kitchen in unit 201.

- k. Seal with caulking in the bathtub, tub surround, faucet, and showerhead in unit 301.
- l. Assess and repair the damage to the parging/cladding and deteriorated concrete in the south section of the premises.
- m. Install cladding missing from the front balcony landing.
- n. Replace the kitchen windowpane that is broken in unit 201.
- o. Install insect screens in the windows of unit 201.
- p. Repair the roof shingles that are worn and lifting from the outside of unit 401.
- q. Seal with caulking behind and around the kitchen sink in unit 101 is to be installed to provide a cleanable surface and prevent deterioration of the surface.
- r. Install kitchen cabinet doors and repair the broken hinges in unit 201.
- s. Replace the caulking along the back of the kitchen counter in unit 301.
- t. Repair the kitchen sink and remove deteriorated material in unit 301.
- u. Hire a licensed Pest Control company to treat and monitor mouse activity observed in units 201 and 301.
- v. Mouse droppings must be effectively removed from the furnace and surrounding areas in unit 201, and the food preparation area in unit 301.
- w. Hire a licensed Pest Control company treat and monitor bed bug and cock roaches in unit 301.
- x. Repair the broken guards at the back exterior south main floor suite landing.
- y. Repair the locks for the windows on the northwest and southwest rooms in unit 201.
- z. Install smoke alarms unit 201 and unit 401.
- aa. Install the bathtub faucet handle in unit 201.

2. The work referred to in paragraph 1 shall be completed by November 27, 2023.

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, October 25, 2023.

Confirmation of a verbal order issued to Kenneth McLeod on October 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>

Alberta Health Services – Environmental Public Health

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