

ORDER OF AN EXECUTIVE OFFICER

To: 2140450 Alberta Ltd.
"The Owner"

Teryn Curtis Nutley
"Director"

Shawn Nutley
"Director"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
11531 101 Street NW
Lot 10, Block 5, Plan RN43

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. Gas meter was removed therefore the gas furnace not operational and unable to heat the housing premises.
- b. Stove and electric heater in the living room was also turned on at the time of the site visit and were the primary source of heat to the main floor.
- c. The gas meter was disconnected therefore the maximum temperature of water at the kitchen sink measured 18.8 degrees Celsius.
- d. Windows were broken throughout the premises which included the south kitchen window, west common area living room window and the NW bedroom.
- e. The south living room windows were single pane and not weatherproof.
- f. There were gaps on the interior plexiglass covering of the living room window.
- g. Handrail from the main floor to basement was missing.
- h. West exterior handrail was not secured.
- i. Smoke alarm was missing outside the bedroom.
- j. Cover plates were missing on the light switches throughout the main floor.

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. Item a is in contravention of section 8(d) of the Minimum Housing and Health Standards which states There is an inadequate supply of utility services in the housing premises. Every owner of a housing premises shall ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant.

- b. Item b is in contravention of section 8(c) of the Minimum Housing and Health Standards which states that cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room.
- c. Item c is in contravention of section 9(a) of the Minimum Housing and Health Standards which states that Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants. (a) All hot running water shall be maintained at a temperature of not less than 46°C (114°F), and not more than 60°C (140°F) measured at the plumbing fixture.
- d. Item d 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.
- e. Items e and f are in contravention of section 2(b)(ii) of the Minimum Housing and Health Standards which states that in housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.
- f. Item g and h are in contravention of section 3(c)(i) of the Minimum Housing and Health Standards which states that Handrails shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.
- g. Item i 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. Section 12(a) of the Minimum Housing and Health Standards states that smoke alarms shall be operational and in good repair at all times.
- h. Item j 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.

i.

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. Ensure the gas meter is reinstalled.
 - b. Ensure that cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room.
 - c. Ensure that portable space heaters are supplied to the habitable rooms and are capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of (i) at least 22 C (71 F) until such time as the gas meter is reinstated.
 - d. Ensure the temperature of water in the premises be maintained at a temperature of not less than 46°C (114°F), and not more than 60°C (140°F) measured at the plumbing fixture.
 - e. Ensure the broken windows are fixed.
 - f. Ensure the south living room windows are fixed and are weatherproof.
 - g. Ensure the handrail is installed for the main floor to the basement stairs.
 - h. Ensure the piece of material at the bottom of the west exterior stairs that is in good repair to provide the necessary support to the handrail.

- i. Ensure that a functional smoke alarm is 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.
 - j. Ensure cover plates are installed on the light switches throughout the premises.
2. The work referred to in paragraph 1 shall be completed by the following dates:
 - a. Items (c, and i) to be completed by October 6, 2023.
 - b. Item e to be completed by October 11, 2023.
 - c. Item a to be completed by October 15, 2023.
 - d. Remainder of items to be completed no later than October 31, 2023.
3. Should the premises become vacant it is to remain vacant until all repairs are addressed, and an inspection is conducted to verify compliance with the Public Health Act and regulations.

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 4, 2023

Confirmation of a verbal order issued to Teryn Curtis Nutley on October 4, 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>

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<https://www.ahs.ca/eph>