

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

To: Ewnetu Erketu
“the Owner”

And To: All Occupant(s) of the following Housing premises:

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
11726 80 Street, Main Floor and Basement Suites

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. No running potable water within the premises.
- b. No means of emergency egress from unopenable bedroom windows, unacceptable security bars in basement suite bedroom windows, and an obstructed rear door exit from the main unit of the premises.
- c. No operational flush toilet, wash basin or bathtub/shower in the premises.
- d. No operational smoke alarms in the premises.
- e. Several electrical deficiencies including exposed wiring and missing outlet cover plates.
- f. No kitchen facilities: including access to a kitchen sink, suitable cupboard & counter space, and operational stove in the premises.
- g. No pest control for an active cockroach infestation in the premises.
- h. Multiple damaged and unfinished building materials throughout the premises.
- i. Exterior cladding deficiencies, no storm panes, weatherproofing, or insect screens, as well as broken glass panes and frames on several windows in the premises.
- j. No handrails or guards on front steps of the premises.

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 is no running potable water supply serving the unit. **This condition is contrary to section 9(a) of the Minimum Housing and Health Standards which states:** “Every building used in whole or in part, as a housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants. All hot running water shall be maintained at a temperature of not less than 46°C and not more than 60°C measured at the plumbing fixture.”

- b. There is no means of emergency egress from unopenable bedroom windows, unacceptable security bars in basement suite bedroom windows, and an obstructed rear door exit from the main unit of the premises. **This condition is in contravention of sections 3(b)(i) and 3(b)(iii) of the Minimum Housing and Health Standards which states:** “For buildings of 3 stories 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” **and** “If the window referred in section 3(b)(i) is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge”.
- c. There is no operational flush toilet, wash basin or bathtub/shower in the premises. **This condition is in contravention of section 6(a) of the Minimum Housing and Health Standards which states:** “Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. (a) 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.”
- d. There are no operational smoke alarms in the premises. **This condition 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.”
- e. There are several electrical deficiencies including exposed wiring and missing outlet cover plates. **This condition 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.”
- f. There are no kitchen facilities: including access to a kitchen sink, suitable cupboard & counter space, and operational stove in the premises. **This condition is in contravention of section 14(a) of the Minimum Housing and Health Standards which states:** “Every housing premises shall be provided with a food preparation area, which includes: (i) a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation; and (ii) cupboards or other facilities suitable for the storage of food; and (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; and (iv) a stove and a refrigerator that are maintained in a safe and proper operating condition.
- g. There is no pest control for an active cockroach infestation in the premises. **This condition is in contravention of section 16(a) of the Minimum Housing and Health Standards which states:** “The owner shall ensure that the housing premises are free of insect and rodent infestations. (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.”
- h. There are multiple damaged and unfinished building materials throughout the premises. **This condition 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. There are exterior cladding deficiencies, no storm panes, weatherproofing, or insect screens, as well as broken glass panes and frames on several windows in the premises. **This condition is in contravention of section 2(a) and 2(b) of the Minimum Housing and Health Standards which states, respectively:** “The exterior cladding is not maintained in a waterproof, windproof and weatherproof condition. The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition” **and** (i) “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof. (ii) 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. (iii) 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.”
- j. There are no handrails or guards on front steps of the premises. **This condition is in contravention of section 3(c)(i) of the Minimum Housing and Health Standards which states:** “Guards and handrails 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 October 18, 2023.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Supply running potable water within the premises.
 - b. Supply means of emergency egress by installing openable bedroom windows, acceptable security bars, and clearing the obstructed rear door exit from the main unit of the premises.
 - c. Supply an operational flush toilet, wash basin or bathtub/shower.
 - d. Install operational smoke alarms in the premises.
 - e. Assess and repair electrical deficiencies by installing outlet cover plates and covering exposed wiring.
 - f. Supply access to a kitchen sink, suitable cupboard & counter space, and operational stove in the premises.
 - g. Initiating pest control for the active cockroach infestation in the premises.
 - h. Repair multiple damaged and unfinished building materials throughout the premises by ensuring 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. Assess and repair exterior cladding deficiencies, installing storm panes, weatherproofing, and insect screens, as well as removing broken glass and replacing panes and frames on several windows in the premises.
 - j. Install handrails and guards on front steps of the premises.
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, September 27, 2023
Confirmation of a verbal order issued to Ewnetu Erketu on September 20, 2023.

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>

Edmonton • Environmental Public Health

Suite 700, 10055 106 Street NW, Edmonton, AB, Canada T5J 2Y2

www.albertahealthservices.ca/eph.asp