

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

To: 2201519 Alberta Corp. Roman Bouz
"the Owner" "the Owner"

Rohan Parab Roman Verbytskyy
"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:
11908 77 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. The temperature inside the house was measured between 13 and 18 degrees Celsius.
- b. Front NE bedroom opens into an enclosed patio, obstructing emergency egress.
- c. There was an open access panel in the front hallway to the basement utility space.
There was a drop of approximately 6 feet with no stairs or installed ladder.
- d. The thermostat was broken.
- e. There was a missing handrail along the stairs leading to the second-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. The temperature inside the house was measured between 13 and 18 degrees Celsius. This is in contravention of Section 8(a) 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, bathrooms, and toilet rooms within the building to a temperature of ; (i) at least 22 degrees C(71 degrees F), or (i) maintained at a temperature of at least 22 degrees C(71 degrees F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
- b. Front NE bedroom opens into an enclosed patio, obstructing emergency egress. This is in contravention of Section 3(b)(i, ii) of the Minimum Housing and Health Standards which states that: (i) For buildings of 3 storeys 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. (ii) Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
- c. There was a large hole in the front hallway wall (approximately 2ft by 3 ft) exposing the electrical wiring. This is in contravention of Section 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.
 - d. There was an open access panel in the front hallway to the basement utility space. There was a drop of approximately 6 feet with no stairs or installed ladder. This is in contravention of Section 5(2) of the Housing Regulation (AR 173/99) which states that: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.
 - e. The thermostat was broken. This is in contravention of Section 8(a) 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, bathrooms, and toilet rooms within the building to a temperature of ; (i) at least 22 degrees C(71 degrees F), or (i) maintained at a temperature of at least 22 degrees C(71 degrees F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
 - f. The front NE bedroom door was damaged, with holes in it. 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.
 - g. There was a missing handrail along the stairs leading to the second-floor. 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.
 - h. The second-floor bathtub paint was peeling, and the surface was not smooth and easily cleanable. This is in contravention of Section 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. (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.
 - i. Further sealing is required along the second-floor bathtub and the floor. This is in contravention of Section 5(a) 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. (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.

- j. The second-floor shower was in disrepair – the diverter was missing. This was in contravention of Section 6(a) of the Minimum Housing and Health Standards which states that: 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.
- k. There were missing screens throughout the premises. This is in contravention of Section 2(b)(iii) of the Minimum Housing and Health Standards which states that: 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.

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 May 1, 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. Ensure that the heating facilities are properly installed, maintained in good condition, and capable of safely & adequately heating the habitable rooms a temperature of at least 22 degrees C (71 degrees F).
 - b. Ensure that sleeping rooms do not open into enclosed porches. Ensure that sleeping rooms have at least on window that can be opened from the inside without the use of tools or special knowledge and provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
 - c. Repair the large hole in wall in the front hallway.
 - d. Install stairs into the basement utility area in accordance with the Alberta Building Code.
 - e. Repair or replace the front NE bedroom door.
 - f. Install a handrail along the entire set of stairs leading to the second-floor.
 - g. Ensure that the second-floor bathroom finishes are smooth and easy to clean, including the bathtub surface.
 - h. Ensure that the joint between the second-floor bathtub and the floor is water-tight.
 - i. Repair or replace the second-floor shower/tub fixtures so that they are in proper working order.
 - j. Ensure that insect screens are installed in all windows intended for ventilation.
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, April 22, 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>

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