

ORDER OF AN EXECUTIVE OFFICER

To: 1079352 ALBERTA LTD.
"the Owner"

Julie Potestio
"the Owner"

John Frank Potestio
"the Owner"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
Common Areas and Suites 1, 2, 3, 4, 7, & 8, 9517 118 Avenue 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:

Common Areas

- a. Several windows were broken including: front window and kitchen window in Suite 1; kitchen window in Suite 2; several windows in Suite 4; and bedroom window in Suite 7
- b. Several openable windows were missing insect screens including windows in Suite 1, Suite 2, Suite 3, Suite 4, Suite 7, and Suite 8.
- c. The glass in the exterior front door was broken.
- d. Evidence of a sewage back up in the basement.
- e. Water damage and mould along noted in the basement drywall due to water infiltration and/or plumbing backup.

Suite 1

- f. The smoke alarm was not properly operational and required replacement.
- g. The front door was in disrepair.
- h. A wall tile was broken at the top of the bathtub surround.
- i. There was a large hole in the wall of the main living area that required further repair and finishing.
- j. The kitchen faucet had a continuous drip.

Suite 2

- k. The bedroom window was not lockable.

Suite 3

- l. The exterior door was not adequately weatherproof, light could be seen between the door and its frame.
- m. Several windows were not adequately weatherproof, plastic film had been installed on several windows during cold weather.
- n. There was no smoke alarm installed in the bedroom.
- o. The shower surround was damaged and required resealing around the faucet knob.
- p. The kitchen faucet fixture was loose.

q. The bathroom sink faucet fixture was loose.

Suite 4

r. There was a hasp lock on the outside of the suite door.

s. The door was in disrepair and was could not be properly secured.

t. The flooring was in disrepair in places, with cracked tiles and missing transition strips.

Suite 7

u. The door finish was in disrepair.

v. The flooring was in disrepair in places including: there were gaps in tile grout, there was a missing transition strip between wood flooring

w. There was missing electrical cover plates in places.

x. The cabinet base under the kitchen sink was in disrepair.

y. The refrigerator handle was missing.

Suite 8

z. Electrical covers were missing from several outlets.

aa. The bathroom electrical switch was broken.

bb. The south electrical switches were hanging by wires, and was missing a cover plate.

cc. The bathroom fan did not function, and the cover was missing.

dd. The smoke alarm was missing from the bedroom.

ee. The cabinet base under the kitchen sink was water-damaged and mouldy.

ff. A kitchen cabinet door was missing.

gg. The kitchen flooring was in disrepair: several tiles were cracked or missing, and there were gaps in kitchen tile grout.

hh. The casing/jamb around the bedroom door was raw wood.

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 (c, e, g, u, x, ee, ff) is in contravention of section III(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. Items (a, l, m) are in contravention of section III(2)(b)(i, ii) of the Minimum Housing and Health Standards which states that: (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.
- c. Item (b) is in contravention of section III(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 by supplied with effective screens.
- d. Items (k, s) are in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
- e. Items (h, i, o, t, v, gg, hh) are in contravention of section III(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. (b) Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.

- f. Items (d, j, p, q) are in contravention of section IV(6) 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. (b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- g. Item (cc) is in contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
- h. Items (w, z, aa, bb) are in contravention of section IV(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. Item (f, n, dd) are in contravention of section IV(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.
- j. Item (y) is in contravention of section IV(14)(a)(iv) of the Minimum Housing and Health Standards which states that: (a) Every housing premises shall be provided with a food preparation area, which includes: (iv) a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C (40 degrees F).
- k. Items (r) are 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.

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. Repair or replace windows so that all windows are in good repair, free of cracks, weatherproof, and are provided with a storm sash or are double glazed.
 - b. Ensure that the exterior door to Suite 3 was adequately weatherproof.
 - c. Ensure that all openable windows are supplied with insect screens during the portion of the year when there are flies and other flying insects.
 - d. Repair or replace the front entrance door so that it is in good repair.
 - e. Have the building's sanitary drainage system assessed and repaired as required by a qualified plumbing contractor so that it is in properly operational and in good repair.
Provide reports to this office. Sanitize the basement area affected by the plumbing back up. Remove all water damaged and mouldy drywall, and replace as necessary.

- f. Ensure all occupied suites have operational smoke alarm installed between the sleeping areas and the remainder of the suite.
 - g. Repair the front doors of Suite 1 and Suite 7 so that they are in good repair.
 - h. Repair or replace any walls, ceilings, floors and floor coverings of common areas and occupied suites that are in disrepair. Ensure that the finishes are in good repair, free of cracks, holes, and are easy to clean. Bathrooms are to have walls and floors that are smooth, non-absorbent to moisture, and are easy to clean. Kitchens are to have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin, and bacteria, and that are easily kept clean.
 - i. Ensure all plumbing fixtures are maintained in proper operating condition and are serviceable, free from leaks, trapped, and vented to the outside. Repair the following plumbing fixtures: the kitchen faucet in Suite 1; the kitchen faucet in Suite 3; and the bathroom sink faucet in Suite 3.
 - j. Ensure that all exterior windows and doors are capable of being secured. Repair the bedroom window lock in Suite 2, and the door of Suite 4.
 - k. Remove the hasp lock from the outside of the door to suite 4
 - l. Employ a qualified electrical contractor to repair the hanging electrical switches in Suite 8. **Provide reports to this office.** Replace missing and broken electrical cover plates in Suite 7 and Suite 8. Ensure that the electrical service is in good repair, including outlets, switches and fixtures.
 - m. Repair the mechanical ventilation fan in Suite 8 so that it is properly operational and there is a cover installed.
 - n. Repair or replace the cabinet base under the kitchen sink in Suite 7.
 - o. Repair the refrigerator in Suite 7 so that it has a door handle.
 - p. Replace the cabinet base under the kitchen sink in Suite 8.
 - q. Replace the kitchen cabinet door in Suite 8.
 - r. Ensure that all rooms used for sleeping have a window that provides an unobstructed opening with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15"), which may be opened from the inside without the use of tools or special knowledge.
2. The work referred to in paragraph 1 shall be completed by following dates:
- a. Item (f, k) to be completed by July 14, 2021
 - b. Item (e, j) to be completed by July 19, 2021
 - c. Item (b, c, g, h, i, l - q) to be completed by August 9, 2021
 - d. Item (a, d, r) to be completed by September 13, 2021, with documentation such as window order to be provided to this office by July 26, 2021

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 12, 2021

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 Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Template revised Feb 20, 2020