

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

To: Lyle Greanya Marcus Samuels
 "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:
10925 152 Street NW Edmonton, AB T5P 1Z7

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. There were no working smoke alarms installed between the bedrooms/sleeping spaces of the home and the remainder of the home.
- b. The stove within the home was not maintained in proper, operating condition. The stove appeared to have had a fire previously as the wall and floor adjacent appeared to be fire damaged, rendering the stove inoperable.
- c. The handrails were missing on the stairs leading to the kitchen and basement from the back landing.
- d. The basement bathroom ceiling was water damaged and the finishing material was warped in several places.
- e. Several of the outlets covers throughout the home were missing.
- f. The caulking between tiles was missing in the main floor bathroom. Tiles were missing on the wall in the main floor bathroom.
- g. The basement bathroom walls were water damaged.
- h. There were no locks present on the windows of the main floor bedrooms.
- i. There was exposed wiring present throughout the upstairs and basement suites. Extraneous electrical cords were strung throughout the upstairs suites to power lights and electrical appliances.
- j. There was visible, surface mold present along the wall in the kitchen adjacent to the stove, under the kitchen sink, and on the upstairs bathroom window frame.
- k. The mechanical ventilation fan in the basement washroom was not in operation, and the fan was missing a protective cover.
- l. The downstairs bedroom window was small and could not provide an openable area of 3.8 feet squared (with no dimension less than 15 inches).
- m. There was an accumulation of garbage in the back yard.

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 were no working smoke alarms installed between the bedrooms/sleeping spaces of the home and the remainder of the home. This 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. (a) Smoke alarms shall be operational and in good repair at all times.”
- b. The stove within the home was not maintained in proper, operating condition. The stove appeared to have had a fire previously as the wall and floor adjacent appeared to be fire damaged, rendering the stove inoperable. This is in contravention of Section 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.”
- c. The handrails were missing on the stairs leading to the kitchen and basement from the back landing. 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.”
- d. The basement bathroom ceiling was water damaged and the finishing material was warped in several places.
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.”
- e. Several of the outlets covers throughout the home were missing. This 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.”
- f. The caulking between tiles was missing in the main floor bathroom. Tiles were missing on the wall in the main floor bathroom. 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.”
- g. The basement bathroom walls were water damaged. This is in contravention of Section 1(c) of the Minimum Housing and Health Standards, which states that “(c) Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
- h. There were no locks present on the windows of the main floor bedrooms. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards, which states that “Exterior windows and doors shall be capable of being secured.”
- i. There was exposed wiring present throughout the upstairs and basement suites. Extraneous electrical cords were strung throughout the upstairs suites to power lights

and electrical appliances. This 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.”

- j. There was visible, surface mold present along the wall in the kitchen adjacent to the stove, under the kitchen sink, and on the upstairs bathroom window frame. This is in contravention of Section 5(2) of the Alberta 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.”
- k. The mechanical ventilation fan in the basement washroom was not in operation, and the fan was missing a protective cover. This is in contravention of Section 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.”
- l. The downstairs bedroom window was small and could not provide an openable area of 3.8 feet squared (with no dimension less than 15 inches). This is in contravention of Section 3(b) of the Minimum Housing and Health Standards, which states that “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”). (iii) 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.”
- m. There was an accumulation of garbage in the back yard. This is in contravention of Section 5(2) of the Alberta 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.”
- n. The flooring throughout the home was in disrepair. The flooring in the kitchen had areas missing exposing the sub flooring. The flooring in the back landing of the home was damaged and there were gaps present within the flooring material. The flooring throughout the basement was damaged and in disrepair. As a result, the flooring in this space was no longer smooth and easy to clean. 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. (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.”

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 <vacate date>.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install a smoke alarm between each sleeping area of the home and the remainder of the home. Ensure the smoke is maintained in properly operating condition.
 - b. Repair or replace the stove to ensure it functions correctly. Ensure the stove is maintained in proper, operating condition.
 - c. Replace handrails in the back landing leading to the basement and the kitchen.
 - d. Repair the damaged portions of the ceiling throughout the home. Remove and replace any water damaged materials.
 - e. Replace the missing outlet covers throughout the home.
 - f. Replace the caulking between tiles in the bathroom. Replace the tiles missing on the wall in the bathroom. Ensure the bathroom wall in the shower area forms a watertight seal.
 - g. Abate the source of the water leading to water damage along the basement bathroom wall. Allow the space to dry, then remove and replace any damaged materials.
 - h. Install a lock mechanism on all openable windows.
 - i. Repair the electrical system in the home to ensure there are no exposed wires and that all outlets/light switches are fitted with a backplate.
 - j. Remove the mold from kitchen wall adjacent to the stove, under the kitchen sink, and on the upstairs bathroom window frame. The following website may provide useful information regarding safely cleaning and removing mold:
<https://myhealth.alberta.ca/Alberta/Pages/mouldy-homesbuildings-managing-indoor-mould>.
 - k. Repair the mechanical ventilation fan in the basement washroom. Replace the missing cover for the fan.
 - l. Modify the basement bedroom window to ensure the window is: capable of being opened, capable of being maintained in an open position, and provide an egress path of 3.8 feet squared (with no dimension less than 15 inches).
 - m. Remove all garbage from the yard and dispose of the items in accordance with existing municipal laws.
 - n. Repair or replace the damaged flooring throughout the home. Ensure the surface of the flooring is maintained in a condition that is smooth, impervious to moisture, and easy to clean.
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 2, 2024
Confirmation of a verbal order issued to Marcus Samuels on March 28, 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>