

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

To: Savario Scarpino Karen Scarpino
 "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:
11430 81 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 sidewalk along the north side of the house had a negative grade, which may contribute to water accumulation around the house foundation.
- b. The wood on the side entrance landing was in disrepair and showed evidence of rot.
- c. The exterior cladding was in disrepair in places: paint was peeling from front wood siding, and some window casings showed evidence of rot and deterioration.
- d. A window pane was broken in the back southwest bedroom window.
- e. The glass pane of the north side entrance door was broken.
- f. Insect screens were missing from various windows.
- g. Finishes were in disrepair throughout the main floor including: portions of the casing around the back door were missing; wall paint was peeling in the kitchen; wall and ceiling paint was peeling; there was evidence of water damage and paint was peeling on the bathroom pony partition wall between the sink and the toilet; numerous bathroom flooring tiles were cracked and broken; portions of kitchen tiles were missing, exposing unfinished subfloor.
- h. The main floor smoke alarm was missing.
- i. The refrigerator was leaking water/moisture from the bottom.
- j. The ceiling light fixture was missing from the main/dining room, exposing electrical wires.
- k. There was evidence of water infiltration or drainage back up in the basement.
- l. There was a large amount of mould noted on the drywall and building materials in the basement.

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 (k) was in contravention of section III(1)(b) of the Minimum Housing and Health Standards that states: Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.
- b. Items (b, e, l) were in contravention of section III(1)(c) of the Minimum Housing and Health Standards that states: Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- c. Item (c) was in contravention of section III(2)(a) of the Minimum Housing and Health Standards that states: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- d. Item (d) was in contravention of section III(2)(b)(i, ii) of the Minimum Housing and Health Standards that states: (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.
- e. Item (f) was in contravention of section III(2)(b)(iii) of the Minimum Housing and Health Standard that states: 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.
- f. Item (g) was in contravention of section III(5) of the Minimum Housing and Health Standards that 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. (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.
- g. Item (j) was in contravention of section IV(11) of the Minimum Housing and Health Standards that states: 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.
- h. Item (h) was in contravention of section IV(12) of the Minimum Housing and Health Standards that 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. (a) Smoke alarms shall be operational and in good repair at all times.
- i. Item (i) was in contravention of section IV(14)(a)(iv) of the Minimum Housing and Health Standards that states: (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).
- j. Items (a, l) were in contravention of section 5(2) of the Housing Regulation (AR 173/99) that states: 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.

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 July 31, 2021**.
2. That the Owner pursue the completion of the following work in and about the above noted premises, namely:
 - a. Repair or replace all water damaged materials in the floors, walls and ceilings in the premise. All water damaged material must be removed and assessed for potential mould growth. You must retain the services of an **Environmental Consultant or Industrial/Occupational Health Hygienist, that must be approved by Alberta Health Services prior to the commencement of renovation or repairs**:
 - (i) As this home was built prior to 1990, **the presence of asbestos within building materials is likely thus all precautions must be taken. Ensure proper removal/handling of impacted materials following current codes and standards. The consultant *must* assess the conditions within the above noted premises including performing applicable sampling for asbestos containing materials.**
 - (ii) In the event asbestos is present **provide Environmental Public Health with a written asbestos management/abatement plan in accordance with the Alberta Occupational Health and Safety Code for Asbestos abatement**
 - (iii) Then the environmental consultant will assess the conditions within the above noted premises for all water damaged materials and mould. The assessment is to include the entire premises including the attic, wall and floor cavities, and crawlspaces. A full pre-mould remediation inspection report is required. At a minimum the report must describe the building construction, finishes, materials and components and recommendations for restoration. All hazardous building materials are to be properly managed and disposed of in accordance with government standards and guidelines and industry codes of practice. Once the materials have been removed a post mould remediation report is required. This will include environmental air quality sampling and photographic evidence that all mouldy material has been removed. **Testing and reporting shall follow the requirements outlined in Alberta Health Services' Fungal Air Testing Protocol.**
 - b. Repair the sidewalk/surface grade along the north side of the house exterior.
 - c. Repair or replace the north side entrance landing so that it is in good repair.
 - d. Repair or replace the exterior cladding so that it is in good repair.
 - e. Repair or replace the back southwest bedroom window so that it is in good repair, capable of being secured, and meets emergency egress requirements. Ensure that all windows are maintained in good repair.

- f. Repair or replace the north side entrance door so that is in good repair.
 - g. Ensure that all openable windows are supplied with insect screens.
 - h. Ensure that all wall, ceiling and flooring finishes are in good repair, free of cracks and holes, and in conditions that render them easy to clean.
 - i. Install a smoke alarm in the hallway of the main floor. Smoke alarms must be operational at all times.
 - j. Repair or replace the refrigerator so that it is in safe and proper operating condition.
 - k. Install a ceiling light fixture in the main/dining room. All outlets, switches and fixtures are to be properly installed and maintained in good and safe operating condition.
 - l. Provide evidence of adequate investigation and elimination of the source of water infiltration into the basement.
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, July 16, 2021
Confirmation of a verbal order issued to Savario Scarpino on July 14, 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>