

ORDER OF AN EXECUTIVE OFFICER

To: 2390510 Alberta Corp.
"The Owner"

Roman Bouz
"The Owner" (Director)

Andrew Ivan Buryas
"The Owner" (Director)

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
11436 91 Street NW, Edmonton, AB, T5B 4A5

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 guards or handrails installed on the front exterior stairs leading to the front door.
- b. The west kitchen window can be opened but the glass pane does not remain open by itself. It slams back down on its own.
- c. The spindles widths of the stairs leading to the second floor were greater than 4 inches. The gaps between the spindles measured approximately 17 inches wide.
- d. The rooftop terrace guardrail posts were loose on the north and south side of the terrace.
- e. The stairs from main floor to second floor do not comply with Alberta Building Code requirements.
- f. The headroom clearance from one stair from the main floor to the second floor to the ceiling above was approximately 69.5 inches.
- g. Baseboard behind the main floor bathroom hand sink was swollen and water damaged.
- h. The second-floor tub faucet fixture is loose in front of the tub. The entire faucet has to be pushed towards the tub when turned on to prevent the water from flowing out of the edge of the tub.
- i. There are large gaps around the east kitchen door leading to the exterior porch of the home.
- j. The insect screen was torn on the main floor bedroom south window.
- k. The rooftop terrace flooring material appears to not be properly sealed, and evidence of water infiltration seen into the kitchen ceiling beneath.
- l. A large piece of the soffit (closest to the wall) is missing on the south side of the roof of the house.
- m. The main floor bathroom floor laminate is damaged near the door. There is a hole on the floor.
- n. The second-floor bathroom has large gaps along the bottom of the wall tiles on the floor joint on the east wall. The grouting is worn out and missing. A watertight seal was missing

between the second-floor bathroom floor and wall joint on the south wall and behind the toilet.

- o. Some flooring finish was missing under the second-floor bathtub plumbing connections.
- p. The floor trim is missing on the bottom of the west door leading to the second-floor terrace.
- q. The dining room black ceiling light fixture does not work consistently. The light will turn on and then off by itself.
- r. There is a light switch for the main floor south bedroom that does not work, and the ceiling light fixture is missing. The ceiling light fixture wires have been covered with blank wall plates.
- s. The second electrical outlet further away from the kitchen sink was not functional and was not gfi protected.
- t. There was a water stain on the white trim on the kitchen ceiling.
- u. The paint was bulging and cracked on the north wall on the doorway leading to the kitchen.
- v. Water staining was noted on the white trim on the south wall on the doorway leading to the kitchen.
- w. The bottom of the bathroom window frame was water damaged. The frame had water stains and the wood was rotting.
- x. The large wooden baseboard, at the top of the stairs leading to the second floor, was water damaged. The board was warped and swollen. It had been painted over. Water could leak from the bathroom floor (on the back side of the wall) into this wall/baseboard.
- y. The openable area of the east second floor bedroom window was measured to be approximately 18 inches wide by 18 inches high (Area = 324 square inches). This is a vertical sliding window, and the openable area is too small for emergency egress.

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. For item a, the guard is in disrepair or missing. Guards shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design. Minimum Housing and Health Standards s 3(c)(i). The handrail is in disrepair. Handrails shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design. Minimum Housing and Health Standards s 3(c)(i)
- b. For items b, damaged or rotten building materials have been identified. Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced. Minimum Housing and Health Standards s 1(c)
- c. For item c, the guard spacing is inadequate. Guards shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design. Minimum Housing and Health Standards s 3(c)(i)
- d. For item d, the guardrail is in disrepair. Guards shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design. Minimum Housing and Health Standards s 3(c)(i)
- e. For item e, steps risers and/or treads are greater than 8 inches and the rise of the stairs are uneven. Stairs or porches, including all treads, risers, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design. Minimum Housing and Health Standards s 3(c)
- f. For item f, there is inadequate headroom or reduced headroom. 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. Alberta Regulation 173/99 5(2)
- g. For item g, damaged or rotten building materials have been identified. Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced. Minimum Housing and Health Standards s 1(c)
 - h. For item h, a properly maintained bathtub or shower is not being provided. Every housing premises shall be provided with plumbing fixtures of a bathtub or shower that shall be serviceable, free from leaks, trapped and vented to the outside. Minimum Housing and Health Standards s 6(c) & s 7(a)
 - i. For item i, windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof. Minimum Housing and Health Standards s 2(b)(i)
 - j. For item j, the insect screen is ineffective. 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. Minimum Housing and Health Standards s 2(b)(iii)
 - k. For item k and l, 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. Minimum Housing and Health Standards s 2(a)
 - l. For items m, n, o and p, floors are not smooth, non-absorbent to moisture and easy to clean. 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. Minimum Housing and Health Standards s 5(a)
 - m. For items q, r, and s, electrical fixtures are not being maintained in good and safe working condition. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition. Minimum Housing and Health Standards s 11
 - n. For item t, rooms and sections of rooms that are used for food preparation and cooking are constructed of materials which may provide harbourage to dirt, grease, vermin and bacteria and that cannot be easily kept clean. Rooms and sections of rooms that are used for food preparation and cooking shall have walls constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean. Minimum Housing and Health Standards s 5(b).
 - o. For items u, v, w and x, damaged or rotten building materials have been identified. Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced. Minimum Housing and Health Standards s 1(c).
 - p. For items y, an unacceptable bedroom window size identified. Windows shall provide unobstructed openings with areas not less than 0.35 square metres (3.8 sq. ft.) with no dimension less than 380 mm (15 inches). Minimum Housing and Health Standards s 3(b)(ii) Minimum Dimensions (inches) (Note: total window area may need to be larger to achieve an opening that meets minimum dimension requirements).

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. Remove the bed from the east second floor room.
 - b. Install guards or handrails on the front exterior stairs leading to the front door and ensure they comply with the requirements of the AB Building Code.

- c. Ensure the spindle widths of the stairs leading to the second floor comply with the requirements of the Alberta Building Code.
- d. Ensure the rooftop terrace guardrail posts are secure and comply with the requirements of the Alberta Building Code.
- e. Ensure that the rise of the stairs from the main floor to the second floor comply with the requirements of the Alberta Building Code.
- f. Obtain clearance from the city on Development permit for living spaces and provision of appropriate ceiling and doorway heights in proposed living spaces.
- g. Ensure the swollen and water damaged baseboard behind the main floor bathroom hand sink is repaired or replaced.
- h. Identify the cause of the water leak from the second floor to the kitchen, stop any future water leaks and repair or replace any damaged materials.
- i. Ensure the second-floor tub faucet fixture is not loose in front of the tub and water flows into the tub.
- j. Ensure the east kitchen door leading to the exterior porch is maintained in good repair, free of cracks and weatherproof.
- k. Ensure the main floor bedroom insect screen is effective and in good repair. Please ensure that the insect screen from the bedroom window is easily removable.
- l. Ensure the rooftop terrace flooring material is properly sealed.
- m. Ensure soffit (closest to the wall) is present on the south side of the roof.
- n. Ensure the hole on the bathroom floor is fixed.
- o. Ensure the second-floor bathroom complies with section 5 of the Minimum Housing and Health Standards regarding finishes.
- p. Ensure floor trim is present on the bottom of the west door leading to the second-floor terrace.
- q. Ensure the dining room black ceiling light fixture works consistently.
- r. Ensure the ceiling light fixture wires have been covered with blank wall plates are properly terminated.
- s. Ensure the second electrical outlet further away from the kitchen sink is functional and gfi protected.
- t. Ensure the water stain on the white trim on the kitchen ceiling and the paint that was bulging and cracked on the north wall on the doorway leading to the kitchen is repaired or replaced. Please ensure that section 5 of the Minimum Housing and Health Standards is complied with regarding finishes.
- u. Ensure the water damaged large wooden baseboard, at the top of the stairs leading to the second floor, and the second-floor window frame is repaired or replaced.

2. The work referred to in paragraph 1 shall be completed by:
 - a. Item a must be completed by Friday, June 16, 2023
 - b. Items b through u must be completed by Friday, July 14, 2023

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, May 24, 2023

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 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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