

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

To: SHACKLETON EQUITIES INC. John Stobbe Avery Stobbe
"the Owner" "the Owner" "the Owner"

HEALING HEARTS FOR SOBRIETY RECOVERY CENTRE OF EDMONTON
"the Owner"

Reena Mani Sandra Thomas
"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:
104 -12035 82 Street NW Edmonton, AB T5T 1G1

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. Visible mold growth was observed along the ceiling of the washroom.
- b. The bedroom window lock was not in proper operating condition at the time of inspection.
- c. One of the windows in the living room was broken, with an approximately ½ foot diameter hole through both panes.
- d. As per information provided by the City of Edmonton and Alberta Occupational Health and Safety, there is the potential for the building materials within the suite to contain asbestos.
- e. There was no properly operating smoke alarm within the suite.
- f. The ceiling in the washroom was water damaged.
- g. The washroom door was cracked.
- h. The finishes throughout the suite were in disrepair, including: the wall adjacent to the entrance of the suite, the drywall within the bathroom, the flooring throughout the suite (which was damaged and no longer easy to clean), the baseboards in the washroom (which were damaged), the transition between the kitchen and living room (the transition strip in this space was missing), the caulking within the bathtub surround, and the seal between the tub and bathroom floor.
- i. The mechanical ventilation fan in the washroom was not in operation at the time of inspection. Furthermore, the fan did not have a cover present.
- j. The openable windows throughout the suite were not fitted with insect screens.

- k. The stove was in disrepair, with the top left burner missing and the top right burning not operational.
- l. The kitchen counter was in disrepair with pieces of surfacing damaged rendering it not easy to clean.
- m. The suite door lock was inoperable and would not allow the door to be adequately secured. Furthermore, there was a large hole in the door where a door knob used to be.

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. Visible mold growth was observed along the ceiling of the washroom. This is in contravention of Section 5(2) of the Alberta Housing Regulation, 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.”*
- b. The bedroom window lock was not in proper operating condition at the time of inspection. 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.”*
- c. One of the windows in the living room was broken. This is in contravention of Section 2(b)(i) of the Minimum Housing and Health Standards, which states that *“All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”*
- d. As per information provided by the City of Edmonton and Alberta Occupational Health and Safety, there is the potential for the damaged building materials within the suite to contain asbestos. This is in contravention of Section 5(2) of the Alberta Housing Regulation, 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. There was no properly operating smoke alarm within the suite. This is in contravention of Section 12(a) of the Minimum Housing and Health Standards, which states that *“Smoke alarms shall be operational and in good repair at all times.”*
- f. The ceiling in the washroom was water damaged. 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. The washroom door was cracked. 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.”*
- h. The finishes throughout the suite were in disrepair, including: the wall adjacent to the entrance of the suite, the drywall within the bathroom, the flooring throughout the suite (which was damaged and no longer easy to clean), the baseboards in the washroom (which were damaged), the transition between the kitchen and living room (the transition strip in this space was missing), the caulking within the bathtub surround, and the seal between the tub and bathroom floor. 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.”

- i. The mechanical ventilation fan in the washroom was not in operation at the time of inspection. Furthermore, the fan did not have a cover present. This is in contravention of Sections 7(c) and 11 of the Minimum Housing and Health Standards, which state that *“All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.”*, and furthermore 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. The openable windows throughout the suite were not fitted with insect screens. 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.”*
- k. The stove was in disrepair, with the top left burner missing and the top right burning not operational. This is in contravention of Section 14(a) of the Minimum Housing and Health Standards, which states that *“Every housing premises shall be provided with a food preparation area, which includes: (i) a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation; and (ii) cupboards or other facilities suitable for the storage of food; and (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; and (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. (400F).”*
- l. The kitchen counter was in disrepair with pieces of surfacing damaged rendering it not easy to clean. This is in contravention of Section 14(a) of the Minimum Housing and Health Standards, which states that *“Every housing premises shall be provided with a food preparation area, which includes: (i) a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation; and (ii) cupboards or other facilities suitable for the storage of food; and (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; and (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. (400F).”*
- m. The suite door lock was inoperable and would not allow the door to be adequately secured. Furthermore, there was a large hole in the door where a door knob used to be. This is a 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.”*

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 September 21, 2023.

2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Abate the source of the leak resulting in damage to the bathroom ceiling. Remove and replace all water damaged building materials. Ensure the work is conducted by a contractor licensed in asbestos removal/abatement (i.e. a contractor who has completed an asbestos abatement course approved by Alberta Labour and Immigration)
 - b. Investigate and abate the source of moisture allowing for the growth of surface mold along the ceiling of the washroom.
 - c. Remove the visible surface mold from the ceiling of the washroom.
 - d. Repair the water damaged ceiling in the washroom.
 - e. Replace the broken window in the living room.
 - f. Repair/replace the window lock in the bedroom. Ensure all window locks are maintained in proper, operating condition and are capable of securing the window from entry.
 - g. Repair/replace the door to the washroom.
 - h. Repair the damaged finishes throughout the suite (as listed in Section h. above).
 - i. Repair the mechanical ventilation fan in the washroom and replace the missing cover for the ventilation fan.
 - j. Replace the missing insect screens for all openable windows within the suite.
 - k. Ensure that the stove is in proper operating condition.
 - l. Repair or replace the kitchen counter so that it is of sound construction and furnished with surfaces that are easily cleaned.
 - m. Repair or replace the suite entrance door locks and/or door jamb so that the door is capable of being secured.
 - n. Ensure that the smoke alarms within the suite are in proper operating condition.

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, September 11, 2023

Confirmation of a verbal order issued to John Stobbe, Reena Mani and Sandra Thomas on September 7, 2023.

Executive Officer
Public Health Inspector

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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www.albertahealthservices.ca/eph.asp