

**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:
12833 90 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. A fire had occurred in the primary bedroom. Finishes in the bedroom were smoke damaged, water damaged and a section of the drywall beneath the window had been removed.
- b. The window in the primary bedroom was boarded up with plywood.
- c. The floor covering in the hallway outside of the primary bedroom was lifting.
- d. There was no smoke alarm installed on the main floor.
- e. There was no smoke alarm installed in the basement.
- f. A basement bedroom window was broken.
- g. The basement bedroom windows did not meet egress requirements. The windows were measured as 29 inches by 15 inches, which is too small. The windows were also hopper-style and are not approved for emergency egress.
- h. The basement bathroom ceiling and wall finishes were in disrepair.
- i. Sections of ceiling tiles in the basement had been removed.
- j. The floor covering in the basement had high levels of moisture below the primary bedroom.
- k. Insect screens were missing on windows throughout the premises.

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. Violations [a] and [j] were in contravention of section 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".
- b. Violation [b] was in contravention of section 3(b)(i) of the Minimum Housing and Health Standards that states: "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”.

- c. Violations [c], [f], [i], and [j] were in contravention of section 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”.
- d. Violations [d] and [e] were in contravention of section 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”.
- e. Violation [g] was in contravention of section 3(b)(ii) of the Minimum Housing and Health Standards that states:” 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”)”.
- f. Violation [h] was in contravention of section 5(a) 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”.
- g. Violation [k] was in contravention of section 2(b)(iii) 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”.

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 immediately undertake and diligently 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 or replace the finishes in the primary bedroom so that they are in good repair and cleanable.
 - c. Repair or replace the window in the primary bedroom so that it is in good repair, capable of being secured, and meets emergency egress requirements.
 - d. Repair and/or replace the floor covering in the main floor hallway so that it is in good repair and cleanable. .
 - e. Install a smoke alarm on the main floor. Smoke alarms must be operational at all times.
 - f. Install a smoke alarm in the basement. Smoke alarms must be operational at all times.
 - g. Modify bedroom windows in the basement so that they are in good repair, capable of being secured, and meet emergency egress requirements.
 - h. Repair and/or replace the finishes in the basement bathroom so that they are in good repair, moisture resistant, and cleanable
 - i. Repair or refinish the ceiling in the basement so that it is in good repair and cleanable.
 - j. Remove and replace the water damaged floor covering in the basement.
 - k. Install insect screens on all openable windows in the premises.
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 14, 2021
Confirmation of a verbal order issued to Savario Scarpino on July 14, 2021

Executive Officer
Alberta Health Services

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>