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# *Minimum Housing and Health Standards*

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# I. INTRODUCTION

## Purpose

The primary objective of this *Minimum Housing and Health Standard* is to protect and promote the health and well being of occupants of rental housing premises and of those who may reside in the immediate vicinity of such premises.

Housing regulations and standards are distinct and separate from building and construction codes. However, these differences are often not well understood and many people may use “housing” and “building” interchangeably. The primary intent of the *Minimum Housing and Health Standards* is to establish minimum conditions which are essential to good health and which make housing premises safe, sanitary and fit for human habitation. The Housing Regulation and corresponding *Minimum Housing and Health Standards* govern the conditions and maintenance, the supplied utilities, and the use and occupancy of housing. In contrast, the principal purpose of a building code is to regulate the construction of buildings by setting minimum regulations for public health, fire safety and structure sufficiency.

Housing Regulations and the *Minimum Housing and Health Standards* are also different from building and other construction codes in that the latter are enforced primarily through a system of permits which are granted after plans and specifications have been submitted and evaluated and at which time the construction would be subject to inspection. The appropriate government and accredited agencies maintain control through their power to issue and withhold the required permits. Housing Regulations and the *Minimum Housing and Health Standards*, however, are enforced by inspections of housing premises by Public Health Inspectors/Executive Officers of Regional Health Authorities on a systematic or complaint basis.

The *Minimum Housing and Health Standards* requirements are summarised as follows:

**Housing Premises** The housing premises must be structurally sound and must be maintained in a waterproof, windproof and weatherproof condition.

**Equipment and Furnishings** Occupants of a housing premises must be supplied with adequate heat, potable water; sanitary facilities, cooking facilities and adequate space for sleeping.

**Sanitation** All rooms including other areas used in common by the occupants of a housing premises must be maintained in a clean and sanitary condition.

## **II. DEFINITIONS**

### **Dwelling**

means a unit that:

- consists of 1 or more rooms;
- is used or intended to be used for accommodations purposes; and may
- contain cooking, eating, living, sleeping and sanitary facilities, including but not limited to; a kitchen sink, wash basin, bathtub or shower and a toilet; and
- may be individual or shared.

### **Habitable room**

means a room that is intended to be used for sleeping, living, cooking or eating purposes but does not include a lobby, hallway, closet, toilet room, bathroom, corridor, laundry or storage space.

### **Potable water**

means water that is safe for human consumption.

### **Regulation**

means the Housing Regulation made pursuant to the Public Health Act.

### **Smoke Alarm**

means a combined smoke detector and audible alarm device designed to sound an alarm within the room or suite in which it is located upon the detection of smoke within that room or suite.

### III. HOUSING PREMISES

The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition.

1. *Good repair, safe condition and structurally sound.*

- (a) The housing premises shall be structurally sound.
- (b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.
- (c) Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- (d) Repairs or modifications required by the Executive Officer of any structural element of the housing premises may require the design and/or supervision of a professional structural engineer or a Safety Codes Officer (Building Discipline).

2. *Windproof, waterproof, weatherproof condition*

- (a) **Roof and exterior cladding**  
The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- (b) **Windows and exterior doors**
  - (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.
  - (iii) 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.

### 3. *Safe and Secure*

(a) **Locking Window and Door Hardware**

Exterior windows and doors shall be capable of being secured.

(b) **Emergency Egress**

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.

(i) Windows referred to above shall provide unobstructed openings with areas not less than  $0.35 \text{ m}^2$  ( $3.8\text{ft}^2$ ), with no dimension less than 380 mm (15").

(ii) If the window referred above 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.

(c) **Handrails**

Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.

### 4. *Ventilation*

All rooms used for sleeping shall be provided with:

(a) openable window area of  $0.28\text{m}^2$  ( $3.0\text{ft}^2$ ); or

(b) mechanical ventilation in conformance with the requirements of the Alberta Building Code.

### 5. *Finishes*

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.

## IV. EQUIPMENT AND FURNISHINGS

**Occupants of a housing premises are supplied with adequate; sanitary facilities, heat, potable water, utilities and space for sleeping;**

### 6. *Plumbing and Drainage System*

Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system.

- (a) The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
- (b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures.
- (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.

### 7. *Washroom Facilities*

**Except where exempt by regulation,** every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower.

- (a) The washbasins and bathtub or shower shall be supplied with potable hot and cold running water.
- (b) The wash basin should be in the same room as the flush toilet or in close proximity to the door leading directly into the room containing the flush toilet.
- (c) All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.

#### *Shared Washrooms*

- (d) Occupants of a housing premises with more than one dwelling unit may share a flush toilet, wash basin and bathtub or shower provided that:
  - (i) the occupants have access to the washroom facility without going through another dwelling or outside of the building; and
  - (ii) the facility is located on the same floor as, or on the next storey up or down from the floor on which the suite is located; and
  - (iii) each group of plumbing fixtures (toilet, washbasin, bathtub or shower) shall not serve more than eight persons.

## 8. *Heating Facilities*

- (a) All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be *capable* of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of ;
  - (i) at least 22<sup>0</sup>C(71<sup>0</sup>F), or
  - (i) maintained at a temperature of at least 22<sup>0</sup>C(71<sup>0</sup>F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
- (b) When the outside temperature is colder than the winter design temperature as referenced in the Alberta Building Code(97) Section 2.2.1.1 and Appendix C, then the Executive Officer may permit an indoor temperature of less than 22<sup>0</sup>C(71<sup>0</sup>F) but greater than 16<sup>0</sup>C (60<sup>0</sup>F).
- (c) Cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room.
- (d) Every owner of a housing premises shall ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant.

## 9. *Water Supply*

Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.

- (a) All hot running water shall be maintained at a temperature of not less than 46 degrees C (114<sup>0</sup>F), and not more than 60 degrees C (140<sup>0</sup>F) measured at the plumbing fixture.

## 10. *Space for Sleeping purposes (overcrowding)*

The owner of a housing premises shall not permit it to become or remain overcrowded.

- (a) A housing premises shall be deemed to be overcrowded if:
  - (i) a bedroom in it has less than 3m<sup>2</sup> (32ft<sup>2</sup>)of total floor area and 5.6m<sup>3</sup> (197ft<sup>3</sup>) of air space for each adult sleeping in the bedroom,
  - (ii) in the case of a dormitory, the sleeping area in the dormitory has less than 4.6m<sup>2</sup> (49.5ft<sup>2</sup>) of floor space and 8.5 m<sup>3</sup> (300ft<sup>3</sup>) of air space for each adult sleeping in the sleeping area, or
  - (iii) a habitable room in it that is not a bedroom but is used for sleeping purposes in combination with any other use has less than 9.5m<sup>2</sup> (102ft<sup>2</sup>) of floor space and 21.4m<sup>3</sup> (756ft<sup>3</sup>) of air space for each adult sleeping in the habitable room.



- (b) For the purposes of calculating this section, a person who is more than 1 year of age but not more than 10 years of age shall be considered as a 1/2(one half) adult and a person who is more than 10 years of age shall be considered as 1 adult;
- (c) This section does not apply to a hotel/motel.

#### **11. *Electrical Service***

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.

#### **12. *Smoke Alarms***

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.

#### **13. *Lighting***

Every public hallway and stairway in a housing premises with multiple dwellings shall be adequately lighted by natural or artificial light at all times, providing in all parts thereof at least 50 lux of light at each tread or floor level.

#### **14. *Food Preparation Facilities***

- (a) 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. (40°F).
- (b) *Shared Kitchen Facilities*

Occupants of a housing premises with more than one dwelling may share food preparation facilities provided that:

  - (i) the food preparation facilities are located in a common kitchen room,
  - (ii) the occupants have access to the common kitchen room from a public corridor without going outside the building,

- (iii) the common kitchen room is located on the same floor as, or on the next storey up or down from the floor on which the dwelling unit is located,
  - (iv) the food preparation facilities shall not serve more than eight persons, and
  - (v) the refrigerator shall provide a minimum volume of two cubic feet of storage for each intended occupant.
- (c) This section does not apply to a hotel/motel, or other housing premises where meals are provided.
  - (d) The owner shall be responsible for the provision and operating condition of the cooking and refrigeration equipment supplied by the owner, unless the rental agreement stipulates that the tenant is responsible.

**15. *Garbage and Refuse***

Every housing premises shall have an adequate number of containers suitable for the storage of garbage and refuse awaiting final disposal.

## **V. SANITATION**

- 16. The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition.
  - (a) The owner shall ensure that the housing premises are free of insect and rodent infestations; and
    - (i) all situations requiring the application of pesticides shall be conducted in accordance with the Environmental Protection and Enhancement Act and regulation; and
    - (ii) whenever a pesticide is applied in a dwelling, the occupant shall be notified in accordance with the latest edition of the Environmental Code of Practice for Pesticides published by Alberta Environmental Protection.
    - (iii) it is the occupants responsibility to allow access in accordance to the Residential Tenancy Act to do whatever is necessary to ensure the dwelling unit is ready for pesticide application.
- 17. Every tenant shall allow access for repairs or pest control treatment as per the requirements of the Residential Tenancy Act.