

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

To: “the Owner”
CHU PROPERTY HOLDING EDMONTON CHAPTER TWO INC.
Hao Chung Chu (Jones)
Chenjie Wu (Jack)

And To: All Occupant(s) of the following Housing premises:

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
Suite 5 – 10711 104 Street NW, T5H 2W4

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 flooring in various areas of the premises is worn, gapped, and missing transitions. The bathtub surround is no longer watertight, and the caulking is cracked and worn.
- b. The smaller cabinet beside the stove is damaged and not properly attached.
- c. A section of the balcony railing is missing/damaged.
- d. The balcony does not have a proper lock and is unable to be secured.
- e. A cockroach infestation is noted in the building.
- f. There is water damaged trim around the kitchen window.
- g. The bathroom fan is not functioning/ does not turn on.
- h. There is a missing windowpane in the bedroom window.

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. The flooring in various areas of the premises is worn, gapped, and missing transitions. The bathtub surround is no longer watertight, and the caulking is cracked and worn. This is in contravention of Section 5 of the Minimum Housing and Health Standards, which 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.*”

- b. The smaller cabinet beside the stove is damaged and not properly attached. This is in contravention of Sections 14(ii) and (iii) of the Minimum Housing and Health Standards, which states “*cupboards or other facilities suitable for the storage of food; and a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned;*”
- c. A section of the balcony railing is missing/damaged. This is in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards, which states “*Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, 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.*”
- d. The balcony does not have a proper lock and is unable to be secured. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards, which states “*Exterior windows and doors shall be capable of being secured.*”
- e. A cockroach infestation is noted in the building. This is in contravention of Section 16(a) of the Minimum Housing and Health Standards, which states “*The owner shall ensure that the housing premises are free of insect and rodent infestations; and (i) all situations requiring the application of pesticides must be applied 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.*”
- f. There is water damaged trim around the kitchen window. This is in contravention of Section 1(c) of the Minimum Housing and Health Standards, which states “*Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.*”
- g. The bathroom fan is not functioning/ does not turn on. This is in contravention of Section 7(c) of the Minimum Housing and Health Standards, which states “*All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.*”
- h. There is a missing windowpane in the bedroom window. This is in contravention of Section 2(b) of the Minimum Housing and Health Standards, which 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. (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.*”

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 April 17, 2023.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

- a. Replace/ repair the flooring, so that it is smooth, non-absorbent and easy to clean.
 - b. Replace/ repair kitchen cabinets so that they are properly secured and ensure the finished product is smooth, non-absorbent and easy to clean.
 - c. Replace/repair balcony railings so that they are safe and secure and in compliance with current Alberta Building Codes.
 - d. Ensure that balcony door has a proper locking mechanism so that the premises is safe and secure.
 - e. Hire a licensed pest control operator to assess and treat the whole building for pests and provide records of the treatment and inspection to Environmental Public Health for Review. Ensure records contains pest control operators certificate number that registers them with Alberta Environment as a licensed pesticide applicator.
 - f. Investigate the source of water damage, ensure the source is resolved, and repair/ replace water damaged material.
 - g. Repair/ replace bathroom fan so that the washroom is provided adequate ventilation.
 - h. Replace the missing windowpane in the bedroom.
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, April 20, 2023
Confirmation of a verbal order issued to Jones Chu on April 13, 2023.

Executive Officer
Environmental Health Officer

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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