

**ORDER OF AN EXECUTIVE OFFICER
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE**

To: Harpal Singh Sandhu Harvinder Budwal (property manager)
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
11630 – 122 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. There was standing water throughout the basement including the main room, furnace/laundry room and bathroom.
- b. Sections of the unfinished drywall and insulation had been removed throughout the basement. Wet insulation and mouldy drywall were on the floor in the basement.
- c. There was mould growth on the wall at the bottom of the basement stairs.
- d. There were two sections of HVAC duct piping disconnected in the furnace room.
- e. There was no handrail on the upper section of the basement stairs.
- f. The refrigerator was not functional. The temperature in both the refrigerator and upper freezer section was 24.5°C.
- g. The smoke alarm on the main floor was not functional.
- h. Windows throughout the home were missing panes of glass and not weatherproof including: one northwest bedroom window, the north middle bedroom window, one kitchen window and two living room windows.
- i. The two windows in the northwest bedroom were stuck in the closed position and could not be opened for emergency egress.
- j. The northwest bedroom light switch was not functional.
- k. The bathroom light switch would only turn on after several attempts and was not functioning properly.
- l. The main floor bathroom hand sink faucet was leaking a steady stream of water. Water was being turned off at the shutoff valves when not in use.
- m. The main floor toilet was leaking and was being turned off at the shutoff valve after each use.
- n. The bathtub water diverter was not functioning properly, causing low water pressure to the shower head.
- o. Insect screens were missing on openable windows throughout the home.

- p. Light could be seen through gaps in the back exterior door and the door was not weatherproof or pest proof.

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. Items [a, b, and c] are in contravention of Section III (1)(b)(c) of the Minimum Housing and Health Standards which states that: (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.
- b. Item [d] is in contravention of Section IV (8)(a) which states that: 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°C(71°F), or (i) maintained at a temperature of at least 22°C(71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant
- c. Item [e] is in contravention of Section III (3)(c)(i) of the Minimum Housing and Health Standards which states that: 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. Item [f] is in contravention of Section IV (14)(a)(iv) of the Minimum Housing and Health Standards which states that: (a) Every housing premises shall be provided with a food preparation area, which includes: (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).
- e. Item [g] is in contravention of Section IV (12) of the Minimum Housing and Health Standards which states that: 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.
- f. Item [i] is in contravention of Section III (3)(b)(i) of the Minimum Housing and Health Standards which states that (b) Emergency Egress (i) 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.
- g. Items [h], [o], and [p] are in contravention of Section III 2(b)(i)(ii)(iii) of the Minimum Housing and Health Standards which states that: (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.
- h. Items [j] and [k] are in contravention of Section IV (11) of the Minimum Housing and Health Standards which states 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.

- i. Items [l], [m], and [n] are in contravention of Section IV (6)(c) of the Minimum Housing and Health Standards which states that: All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Unfit for Human Habitation**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the occupants vacate the above noted premises on or before August 1, 2022.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Hire a qualified professional to identify the source of the water infiltration and make the required repairs. **Reports are to be submitted to this office.**
 - b. Remove all mouldy, damaged building materials in accordance with the Alberta Health Services Fungal Air Testing for Mould-Contaminated Buildings requirements: wf-eh-fungal-air-testing-for-mould-contaminated-buildings.pdf (albertahealthservices.ca). **Reports are to be submitted to this office.**
 - c. Repair the HVAC duct piping so that it is properly installed and maintained in good working condition.
 - d. Install a handrail on the upper section of the basement stairs that is compliant with the Alberta Building Code.
 - e. Repair or replace the refrigerator so that it is in good working condition and capable of maintaining a temperature of 4C or lower.
 - f. Replace the smoke alarm in the main floor hallway. Ensure that an operational smoke alarm is installed between the sleeping areas and the remainder of the suite.
 - g. Replace all missing windowpanes on windows throughout. All windows are to be maintained in good condition, free from cracks and weatherproof.
 - h. Modify at least one of the windows in the northwest bedroom so that it can be easily opened. Ensure each bedroom has at least one outside window which may be opened from the inside without the use of tools or special knowledge.
 - i. Repair the light fixture in the northwest bedroom and the light in the main floor bathroom. Ensure all outlets, switches and fixtures are properly installed and e maintained in a good and safe working condition.
 - j. Repair the leaking bathroom hand sink faucet, the leaking toilet, and the bathtub diverter. Ensure all plumbing fixtures are free from leaks and the shower head has adequate water pressure.
 - k. Ensure that all windows intended for ventilation are supplied with effective screens.
 - l. Install additional weatherstripping or make the necessary repairs to the back exterior door to ensure it is weatherproof and pest proof.
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 vacant and secure from unauthorized entry.

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, June 29, 2022. Revised July 14, 2022.

Confirmation of a verbal order issued to Harpal Singh Sandhu on June 29, 2022.
Vacate date revised July 14, 2022.

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 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>

AMENDED