

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

To: Vuong Van Tai Holding INC. Van Vuong
"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:
311 – 10603 107 Avenue NW Edmonton, AB T5H 0W5

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 temperature within the left bedroom of the unit measured between 12 – 13°C. The tenants within the unit indicated the heating system had not been working properly and frequently did not provide adequate heat.
- b. The front door to the unit and the surrounding door casing were significantly damaged. As a result, the door would not close and latch properly.
- c. There was an ongoing cockroach infestation within the unit.
- d. There was no working smoke alarm installed within the unit.

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 temperature within the left bedroom of the unit measured between 12 – 13°C. The tenants within the unit indicated the heating system had not been working properly and frequently did not provide adequate heat. This is in contravention of Section 8(a) of the Minimum Housing and Health Standards, 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."
- b. The front door to the unit and the surrounding door casing were significantly damaged. As a result, the door would not close and latch properly. This is in contravention of Sections 3(a) and 1(c) of the Minimum Housing and Health Standards, which state that "Exterior windows and doors shall be capable of being secured.", and furthermore that,

“Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”

- c. There was an ongoing cockroach infestation within the unit. This is in contravention of Section 16(a) of the Minimum Housing and Health Standards, which states that “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.”
- d. There was no working smoke alarm installed within the unit. This is in contravention of Section 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.”
- e. A number of the plate covers for electrical outlets within the unit were cracked/broken. This is in contravention of Section 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.”
- f. A number of finishes within the unit were damaged, including: the walls in the bathroom (which had large holes present), the caulking between the bathtub and the floor (which was missing), the walls in the middle bedroom (which had large holes present), and the walls in the left bedroom (in which the paint had been damaged in several places). 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.”
- g. The carpeted flooring within the unit was significantly stained and damaged. 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.”
- h. A number of the kitchen cabinet doors were loose. This is in contravention of Section 14(a)(ii) of the Minimum Housing and Health Standards, which states that “(a) Every housing premises shall be provided with a food preparation area, which includes:...(ii) cupboards or other facilities suitable for the storage of food”
- i. One of the handles for the shower faucet was missing. This is in contravention of Section 6(a) of the Minimum Housing and Health Standards, which states that “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.”
- j. The trim around the front door casing to the unit and the door to the furnace room were damaged. This is in contravention of Section 1(c) 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.”

- k. The insect screens for the openable windows within the unit were missing. 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.”
- l. There was a large amount of lint accumulation within the laundry room and furnace rooms of the unit. This in contravention of Section 5(2) of the Alberta Housing Regulation (AR 173/99) 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.”

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 9, 2024.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Hire the services of a competent, registered HVAC repair technician to assess the heating system within the unit. Provide a copy of the report from the technician to Alberta Health Services Environmental Public Health (AHS EPH). Conduct repairs to the system in accordance with the above-mentioned technician’s recommendations.
 - b. Replace the front door to the unit and the surrounding casing of the front door. Ensure the unit is capable of being secured.
 - c. Hire a licensed pest control company to complete treatment of the cockroach infestation. Provide a copy of any reports generated by the licensed pest control company to Alberta Health Services Environmental Public Health.
 - d. Install a properly operating smoke alarm within the unit (specifically between the sleeping areas of the unit and the remainder of the unit).
 - e. Replace the damaged electrical outlet plate covers within the unit.
 - f. Repair the damaged walls in the bedrooms and bathroom.
 - g. Replace the missing caulking between the bathtub and the floor of the bathroom.
 - h. Remove and replace the carpeted flooring within the unit.
 - i. Repair the kitchen cabinet doors.
 - j. Replace the missing handle for the shower faucet.
 - k. Replace the furnace room door and the damaged trim around the front door.
 - l. Replace the missing insect screens for the openable windows in the unit.
 - m. Clean the lint from within the laundry room and furnace rooms. Ensure the units are venting properly to prevent accumulation of lint in these places.
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, March 27, 2024.

Confirmation of a verbal order issued to Van Vuong on March 26, 2024.

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>

Order of an Executive Officer – Closed for Tenant Accommodation – Order to Vacate

RE: The premises located in Edmonton, Alberta and municipally described as: 311 – 10603 107 Avenue NW Edmonton, AB T5H
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Suite 700, 10055 – 106 Street NW, Edmonton, AB T5J2Y2

www.albertahealthservices.ca/eph.asp