

**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:
403 – 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 heating system for the unit was not in operation at the time of inspection. The occupant within the unit indicated that heat was being provided by the oven.
- b. The lock for the front door of the unit was missing. The owner indicated the lock had been removed in an effort to force an eviction of the tenant.
- c. The following building materials were damaged at the time of inspection: the front door to the unit (which was broken and damaged), the door to the laundry room (which had a large hole present), the door to the bathroom (which was broken), and the cover for the mechanical ventilation fan in the washroom (which had been melted).
- d. The following finishes were damaged at the time of inspection: the interior wall to the Left of the front door, the walls throughout the unit (many of which had holes present), the seal between the bathroom vanity and the wall (which was missing), the carpets within the unit (which were stained and torn), and the interior door trim along the righthand side of the front door (which was loose).
- e. One of the kitchen cabinet doors was loose and damaged.
- f. There was an accumulation of lint within the laundry room closet.

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 heating system for the unit was not in operation at the time of inspection. The occupant within the unit indicated that heat was being provided by the oven. This is in contravention of Sections (a) and (c) of the Minimum Housing and Health Standards, which state 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.”, and furthermore that, “Cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room.”

- b. The lock for the front door of the unit was missing. The owner indicated the lock had been removed in an effort to force an eviction of the tenant. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards, which states that “Exterior windows and doors shall be capable of being secured”
- c. The following building materials were damaged at the time of inspection: the front door to the unit (which was broken and damaged), the door to the laundry room (which had a large hole present), the door to the bathroom (which was broken), and the cover for the mechanical ventilation fan in the washroom (which had been melted). This is in contravention of Section 1(c) of 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.”
- d. The following finishes were damaged at the time of inspection: the interior wall to the Left of the front door, the walls throughout the unit (many of which had holes present), the seal between the bathroom vanity and the wall (which was missing), the carpets within the unit (which were stained and torn), and the interior door trim along the righthand side of the front door (which was loose). 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.”
- e. One of the kitchen cabinet doors was loose and damaged. This is in contravention of Section 14(a)(ii) of the Minimum Housing and Health Standards, which states that “Every housing premises shall be provided with a food preparation area, which includes:... (ii) cupboards or other facilities suitable for the storage of food”
- f. There was an accumulation of lint within the laundry room closet. This is 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 March 22, 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. Install and maintain a properly functioning lock on the front door of the unit.
 - c. Replace the damaged building materials listed above, including: the front door to the unit, the laundry room door, the bathroom door, and the cover for the mechanical ventilation fan.
 - d. Repair the walls within the unit to ensure they are smooth, impervious to moisture, and easy to clean.
 - e. Replace the missing caulking between the bathroom vanity and the wall.
 - f. Repair the loose interior door trim to the right of the front door to the unit.
 - g. Repair/replace the loose kitchen cabinet door.
 - h. Clean the lint from inside the laundry room closet. Ensure the dryer unit is venting properly.

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 11, 2024.

Confirmation of a verbal order issued to Van Vuong on March 8, 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>

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www.albertahealthservices.ca/eph.asp