

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

To: 2342245 Alberta Ltd
"the Owner"

And.

Jaspal Boparai
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:

**21150 Fort Road NE
[Lot F, Block , Plan 662NY]**

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 potable water tank was located in the attached shop. A hose was run from the tank, obstructing the door, and attached along the ceiling to supply potable water to the home.
- b. The door to the porch area could not be locked.
- c. Numerous windows were missing locks in the residence.
- d. Mold (size 1 – 2 meters squared) was seen on the east and west walls of the attached unheated shop area.
- e. Numerous windows were missing screens in the residence.
- f. Numerous windows in the residence were single paned.
- g. There was a wood stove in the middle of the living room that was not mounted properly, the metal box was placed on pieces of plywood that was sitting on top of old tires. The area surround the wood burning stove was cluttered with flammable items.
- h. There was no functioning smoke alarm in the residence.
- i. The door to the oven was not attached to the stove.
- j. Numerous electrical cover plates for light switches and electrical outlets were missing.
- k. Exposed wiring was seen on the hot water tank and the dryer outlet.
- l. The kitchen faucet was loose and not attached to the counter adequately.
- m. There was a plumbing leak under the kitchen sink, waste water was being diverted into a bucket.

- n. There was water damage on the ceiling in the hallway, water staining was seen on the ceiling and part of the ceiling board was missing.
- o. Part of the ceiling in the heated porch area had collapse due to water infiltration, water staining and insulation was seen.
- p. Part of the ceiling in the southeast bedroom had partially collapsed due to water infiltration, water staining was seen.
- q. Visible light could be seen around the plywood that had been used to board up the front door to the trailer.
- r. The bathroom ventilation fan was not functioning.
- s. The overflow valve for the bathtub was missing.
- t. The plastic tub surround was not adhering to the wall adequately, this was allowing for water to infiltrate into the wall behind.
- u. The plumbing lines for the shower/bathtub was leaking, a bucket was being used to collect the leaking water.
- v. The caulking around the bathroom tub surround had lifted and was missing.
- w. The bathtub surface was rusted. Surface enamel had lifted and detached.
- x. The faucet handle for the cold water was broken.
- y. The hot water tank was not level as the floor under the hot water tank was rotted.
- z. There was water damage on the floor of the North bedroom along the wall adjacent to the bathroom.
- aa. There was water damage on the ceiling in the closet of the North bedroom.

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 and Alberta Regulations 243/2003 exist in and about the above noted premises, namely:

- a. The potable water tank was located in the attached shop. A hose was run from the tank, obstructing the door, and attached along the ceiling to supply potable water to the home. This is in contravention of sections III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured and 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.
- b. The door to the porch area could not be locked. This is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
- c. Numerous windows were missing locks in the residence. This is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
- d. Mold (size 1 – 2 meters squared) was seen on the east and west walls of the attached unheated shop area. This is in contravention of sections III(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 and section 5(2) 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.
- e. Numerous windows were missing screens in the residence. This is in contravention of section III(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.

- f. Numerous windows in the residence were single paned. This is in contravention of section III(2)(b)(ii) of the Minimum Housing and Health Standards which states that: 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.
- g. There was a wood stove in the middle of the living room that was not mounted properly, the metal box was placed on pieces of plywood that was sitting on top of old tires. The area surround the wood burning stove was cluttered with flammable items. This is in contravention of section 5(2) 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.
- h. There was no functioning smoke alarm in the residence. This is in contravention of section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.
- i. The door to the oven was not attached to the stove. This is in contravention of section IV(14)(a)(i) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: 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.
- j. Numerous electrical cover plates for light switches and electrical outlets were missing. This is 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.
- k. Exposed wiring was seen on the hot water tank and the dryer outlet. This is 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.
- l. The kitchen faucet was loose and not attached to the counter adequately. This is 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.
- m. There was a plumbing leak under the kitchen sink, waste water was being diverted into a bucket. This is 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.
- n. There was water damage on the ceiling in the hallway, water staining was seen on the ceiling and part of the ceiling board was missing. This is in contravention of sections III(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 and section III(2)(a) of the Minimum Housing and Health Standards which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- o. Part of the ceiling in the heated porch area had collapse due to water infiltration, water staining and insulation was seen. This is in contravention of sections III(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

- and section III(2)(a) of the Minimum Housing and Health Standards which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- p. Part of the ceiling in the southeast bedroom had partially collapsed due to water infiltration, water staining was seen. This is in contravention of sections III(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 and section III(2)(a) of the Minimum Housing and Health Standards which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
 - q. Visible light could be seen around the plywood that had been used to board up the front door to the trailer. This is in contravention of section III(2)(b)(i) of the Minimum Housing and Health Standards which states that: All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
 - r. The bathroom ventilation fan was not functioning. This is in contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
 - s. The overflow valve for the bathtub was missing. This is 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.
 - t. The plastic tub surround was not adhering to the wall adequately, this was allowing for water to infiltrate into the wall behind. This is in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: 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.
 - u. The plumbing lines for the shower/bathtub was leaking, a bucket was being used to collect the leaking water. This is 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.
 - v. The caulking around the bathroom tub surround had lifted and was missing This is in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: 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.
 - w. The bathtub surface was rusted. Surface enamel had lifted and detached. This is in contravention of section III(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.
 - x. The faucet handle for the cold water was broken. This is 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.
 - y. The hot water tank was not level as the floor under the hot water tank was rotted. This is in contravention of section III(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.
 - z. There was water damage on the floor of the North bedroom along the wall adjacent to the bathroom. This is in contravention of section III(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.

- aa. There was water damage on the ceiling in the closet of the North bedroom. This is in contravention of sections III(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 and section III(2)(a) of the Minimum Housing and Health Standards which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition and section 5(2) 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. Wall damage was seen on all walls throughout the residence. This is in contravention of section III(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.
- bb. Flooring damage and missing floor transitions strips were seen throughout the residence. This is in contravention of section III(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.

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 19 April 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. Ensure that all plumbing fixtures are maintained in a serviceable condition and are free from leaks, trapped and vented to the outside. Install a proper water line to supply the trailer with potable water.
 - b. Ensure that all exterior windows and doors are capable of being secured. Repair the porch door so that it can be locked properly.
 - c. Ensure that all exterior windows and doors are capable of being secured. Install locks for all windows.
 - d. Remove and/or replace all mold contaminated wall areas in the attached shop.
 - e. Ensure 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. Install window screens for all openable windows.
 - f. Install all missing windows in the residence. As this housing premises is 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.
 - g. Remove or properly install the wood stove as per building/fire code to ensure that this can be operated safely.
 - h. Install a functioning smoke alarm on the ceiling outside the bedrooms.

- i. Ensure that the stove is in good and safe working condition. Repair or replace the stove.
 - j. Ensure that all electrical outlets and light switched are equipped with a cover plate. Install all missing cover plates.
 - k. Hire a qualified electrician to repair all exposed electrical wiring. Ensure that the electrical system in the home is found in a good and safe working conditions.
 - l. Ensure that all plumbing fixtures are maintained in a serviceable condition and are free from leaks, trapped and vented to the outside. Repair the faucet and the plumbing for the kitchen sink.
 - m. There was water damage on the ceiling in the hallway, heated porch area, ceiling in the southeast bedroom, on the north bedroom floor and closet ceiling. Ensure that building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced. Remove and replace all water damaged materials.
 - n. Visible light could be seen around the plywood that had been used to board up the front door to the trailer. Ensure that all windows and exterior doors are maintained in good repair, free of cracks and weatherproof. Install a functioning front door ensure that it is properly weather proofed.
 - o. Ensure that the bathroom is provided with natural or mechanical ventilation. Either repair the bathroom fan or ensure that the bathroom window can be opened.
 - p. The overflow valve for the bathtub was missing, the plumbing line for the bathtub was leaking and the faucet handle for the cold-water handle was broken. Ensure that all the plumbing fixtures are maintained in a serviceable condition and are free from leaks, trapped and vented to the outside. Properly install an overflow valve, repair the plumbing lines for the bathtub/shower and replace or repair the faucet handle for the cold-water tap.
 - q. The plastic tub surround was not adhering to the wall adequately and the caulking was lifting or missing allowing for water to infiltrate into the wall behind. Bathrooms 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. Repair or replace the plastic surround in the bathing area and caulk all the seams around the plastic surround.
 - r. Replace or reglaze the bathtub.
 - s. Repair the flooring under the hot water tank to ensure that it is level.
 - t. Wall damage and floor damage seen throughout the residence. Ensure that all walls, ceilings, floors, and floor coverings are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean as noted on all walls throughout the residence. Repair all damaged walls and flooring in the residence.
 - u. There was a large amount of water damage seen on the ceilings throughout the residence. Ensure that the roof and exterior cladding are maintained in a waterproof, windproof and weatherproof condition. Repair or replace the roof for the trailer. A full roof report will be required if the entire roof is not replaced. The roof inspection must be performed by a qualified roofer.
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, 18 April 2024.

Confirmation of a verbal order issued to Jaspal Boparai on 16 April 2024.

Executive Officer
Alberta Health Services

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 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 – Unfit for Human Habitation - Order to Vacate RE: The premises located in Edmonton, Alberta and municipally described as 21150 Fort Road NE [Lot F, Block , Plan 662NY]
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www.albertahealthservices.ca/eph.asp