

**ORDER OF AN EXECUTIVE OFFICER
CLOSED FOR TENANT ACCOMODATION
ORDER TO VACATE**

To: Ajay Verma
"owner"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
5718 137 Avenue NW (Lot 57, Block 1, Plan 5631MC)

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 sidewalk outside of the home was uneven causing a tripping hazard.
- b. There was wall damage at the edge of the closet in the front entrance.
- c. The home was not supplied with heat.
- d. There was Canadian blue plating on the venting ductwork off the hot water tank.
- e. The dryer was not hooked up, it was venting the moist air into the basement area.
- f. The flooring for the steps leading to the basement was plywood this cannot be washed adequately.
- g. There was visible light seen around the side door of the home indicating a lack of weather proofing.
- h. There was unfinished drywall in the bathroom.
- i. The bathroom sink was not secured to the bathroom counter.
- j. The bathroom fan was missing.
- k. There was no guard for the exterior steps leading to the front door.
- l. The railing was loose for the exterior steps leading other front door.
- m. Both windowpanes were broken for three windows in the basement.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, the Minimum Housing and Health Standard and the Nuisance and General Sanitation Regulation Alberta Regulation 243/2033 in and about the above noted premises, namely:

- a. Items (a, k, and l) is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.
- b. Items (b, and f) 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.

- c. Items (c) is in contravention of section IV(8)(a)(i) 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 at least 22 °C (71 F), or 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.
- d. Items (d and e) is in contravention of section 2(1) of the Nuisance and General Sanitation and Regulations states that: No person shall create, commit or maintain a nuisance that might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.
- e. Items (g) 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.
- f. Items (h) 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.
- g. Items (i) 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.
- h. Items (j) 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.
- i. Items (m) 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 and 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.

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 30 September 2022.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

- a. Repair the sidewalk outside the home and the loose handrailing. Install a guard on the front exterior step. Ensure that rails, guards and side walks are maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.
- b. Repair the wall by the front entrance, finish the walls in the bathroom and install flooring for the basement steps. Ensure that walls, and floor coverings are maintained in good repair, free of cracks, holes, loose or lifting and in a condition that renders it easy to clean.
- c. Repair the furnace so that it can safely and adequately heat the home to 22 degree Celsius. All repairs must be performed by a qualified furnace technician, a report from the qualified technician is required by Alberta Health Services.
- d. Replace the Canadian blue plating ducting on the duct venting system for the hot water tank and hook up the dryer to ensure that it vents to the exterior of the premises.
- e. Install weather stripping round the side entrance door. Ensure that all doors are adequately weather proofed.
- f. Attached the bathroom sink to the bathroom counter. Ensure that all damaged building materials that have been damaged or show evidence deterioration repaired.
- g. Install a functioning ventilation fan for the bathroom. Ensure that all rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
- h. Repair or replace all the broken windows and ensure that can be secured in the basement. Ensure that exterior windows are capable of being secured and are maintained in good repair, free of cracks and weatherproof.

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, 26 September 2022

Confirmation of a verbal order issued to **Ajay Verma**, 20 September 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 King'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 King'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>

Edmonton • Environmental Public Health

Suite 700, 10055 106 Street NW, Edmonton, AB, Canada T5J 2Y2

www.albertahealthservices.ca/eph.asp