

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

To: Abbasi Homes LTD.
“the Owner”

And.

Najibollah, Abbasi
“the Owner”

And.

Ruhollah, Abbasi
“the Owner”

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
9251 152 Street NW
Lot 22, Block 50, Plan 3769HW

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:

Main Floor

- a. Based on information received from Epcore, the exterior sanitary sewer lateral was damaged resulting in multiple sewer backs in the basement of the premise.
- b. The kitchen counter was water damaged and mould was noted around the sink basin.
- c. The kitchen counter caulking was cracked and peeling.
- d. The kitchen faucet was leaking at the fixture.
- e. The kitchen faucet was not secured to the counter.
- f. The smoke alarm was not operational.
- g. The west bedroom windowpane was broken.
- h. The west bedroom window openable area was measured to be 14 by 27 inches.
- i. The east bedroom window openable area was measured to be 14 by 27 inches.
- j. The living room north windowpane was broken.

Basement

- k. The bedroom window openable area was measured to be 13.5 by 19 inches.
- l. The smoke alarm was missing.
- m. The laundry room windowpane was broken and no longer weatherproofed.
- n. The kitchen window was single pane.
- o. The living window was single pane.
- p. The kitchen faucet was leaking at the fixture.
- q. The kitchen counter was water damaged and mould around the sink basin.
- r. The guard installed on the stairs leading to the basement was 28 inches high.
- s. The window by the rear entrance was single pane.
- t. There was no handrail on the stairs leading to the main floor from the back entrance.

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. Based on information received from Epcore, the exterior sanitary sewer lateral was damaged resulting in multiple sewer backs in the basement of the premise. This is in contravention of section IV(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.
- b. The kitchen counter was water damaged and mould was noted around the sink basin. 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.
- c. The kitchen counter caulking was cracked and peeling. This is in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: 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.
- d. The kitchen faucet was leaking at the fixture. 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.
- e. The kitchen faucet was not secured to the counter. 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.
- f. The smoke alarm was not operational. 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.
- g. The west bedroom windowpane was broken. 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.

- h. The west bedroom window openable area was measured to be 14 by 27 inches. This is in contravention of section III (3)(b)(ii) of the Minimum Housing and Health Standards which states that: shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
- i. The east bedroom window openable area was measured to be 14 by 27 inches. This is in contravention of section III (3)(b)(ii) of the Minimum Housing and Health Standards which states that: shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
- j. The living room north windowpane was broken. 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.
- k. The bedroom window openable area was measured to be 13.5 by 19 inches. This is in contravention of section III (3)(b)(ii) of the Minimum Housing and Health Standards which states that: shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
- l. The smoke alarm was missing. 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.
- m. The laundry room windowpane was broken and no longer weatherproofed. 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.
- n. The kitchen window was single pane. 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.
- o. The living window was single pane. 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.
- p. The kitchen faucet was leaking at the fixture. 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.
- q. The kitchen counter was water damaged and mould around the sink basin. 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.
- r. The guard installed on the stairs leading to the basement was 28 inches high. This 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.

- s. The window by the rear entrance was single pane. 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.
- t. There was no handrail on the stairs leading to the main floor from the back entrance. This 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.

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 **April 1, 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 a licensed contractor to repair or replace the exterior sanitary sewer lateral. Ensure all documentation is submitted to Alberta Health Services Environmental Public Health for review.
 - b. Ensure all bedroom windows comply with emergency egress requirements.
 - c. Replace water damage main floor and basement kitchen counter.
 - d. Ensure all smoke alarms throughout the premises are operational at all times.
 - e. Ensure the following exterior windows are in good repair, double paned and weatherproofed:
 - i. The main floor living room north window.
 - ii. The basement laundry room window.
 - iii. The basement kitchen window.
 - iv. The basement living room window.
 - v. The window by the rear entrance.
 - f. Repair the main floor and basement kitchen faucet leak and ensure the fixture is secured to the kitchen counter.
 - g. Ensure 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.
 - h. Increase or replace the rear entrance guard height to 36 inches.
 - i. Install a handrail on the stairs leading to the main floor from the rear entrance.
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, March 12, 2024.

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>.

Order of an Executive Officer – Unfit for Human Habitation - Order to Vacate

RE: The premises located in Edmonton, Alberta and municipally described as: 9251 152 Street NW
Lot 22, Block 50, Plan 3769HW

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Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Edmonton • 106 Street Towner • Environmental Public Health

10055 106 Street NW, Edmonton, Alberta, Canada T5J 2Y2

<https://www.ahs.ca/eph>