

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

To: Esosa Investment Inc. Sophia Savice
"the Owner" "the Owner"

Emmanuel Savice Eric Boimah Kangar
"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:
Southeast Crawlspace Room underneath the stairs, 9521 106A Avenue NW

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. There was no means of emergency egress from the room.
- b. There was no operational smoke alarm in the room or in the hallway outside the room.
- c. The temperature in the room was very low, measured between 10 and 14 Degrees Celsius.
- d. There was a hasp lock located on the exterior of the room's door.
- e. The room access was difficult and egress was inhibited: the room was accessed through a passageway that required the individual entering to step over one barrier and up onto a ledge and through a half-door where the room is located.

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. There was no means of emergency egress from the room. This is in contravention of Section 3(b)(i, ii) of the Minimum Housing and Health Standards which states that: *(i) For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge. (ii) Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15").*
- b. There were no operational smoke alarms installed in the suite, including outside the kitchen which was also being used for sleeping. 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.

- c. The temperature in the room was very low, measured between 10 and 14 Degrees Celsius. 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 degrees C(71 degrees F), or (i) maintained at a temperature of at least 22 degrees C(71 degrees F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.*
- d. There was a hasp lock located on the exterior of the room's door. This is in contravention of Section 5(2) of the Housing Regulation AR173/99 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.*
- e. The room access was difficult, and egress was inhibited: the room was accessed through a passageway that required the individual entering to step over one barrier and up onto a ledge and through a half-door where the room is located. This is in contravention of Section 5(2) of the Housing Regulation AR173/99 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 February 14, 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 there is an appropriate means of emergency egress.
 - b. Install an operational smoke alarm in the hallway outside the room.
 - c. Ensure the temperature in the room is capable of being maintained at 22 degrees Celsius.
 - d. Remove the hasp lock from the exterior of the room's door.
 - e. Ensure that there is unobstructed and adequate access to the room.
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, February 13, 2024

Confirmation of a verbal order issued to Eric Boimah Kangar on February 7, 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: SE Basement Crawlspace Room, 9521 106A Avenue NW

Page 4 of 4

Edmonton • Environmental Public Health
Suite 700, 10055 – 106 Street NW, Edmonton, AB T5J2Y2 www.albertahealthservices.ca/eph.asp
<https://www.ahs.ca/eph>