

ORDER OF AN EXECUTIVE OFFICER

To: **Samir Holdings** **Nisha Sawhney** **Pran Sawhney**
 "the Owner" "the Owner" "the Owner"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
 18415 - 75 Avenue.

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:

1. Suite 3

- a. The smoke alarm in the premises was not operational.
- b. The front exterior deck was in disrepair.

2. Suite 5

- a. Flooring in the premises was in disrepair. The transition strips in the front closet and between the hall and the other rooms were missing.
- b. The window opener in the front bedroom was not installed and the window could not be opened.
- c. The window trim in the front bedroom was not finished exposing unfinished drywall and insulation.
- d. The bathroom door was damaged.
- e. The flooring in the washroom was in disrepair. There was no water tight joint between the floor and the wall. There were gaps between the floor tiles and the wall by the toilet.
- f. The cupboard faces in the kitchen were damaged.
- g. The exterior concrete ramp had shifted and was uneven. There was about a two inch variation which made it difficult to transition/travel on the ramp. It was also a tripping concern.

3. Suite 7

- a. Flooring in the upstairs bathroom was damaged and lifting.
- b. The hand rail on the top set of stairs was missing.
- c. The toilet in the upstairs bathroom did not properly flush.
- d. The door on the bedroom adjacent to the washroom did not shut properly.
- e. There was evidence of mice.

4. Suite 12

- a. The basement door was in disrepair.
- b. The handrails leading to the upstairs were loose.
- c. The nosing on the stairs going upstairs was loose and in disrepair.
- d. The flooring in washroom did not form a water tight joint with the vanity.

5. Suite 15

- a. The transition strip was missing in the front entrance.
- b. There were numerous gaps between the stair floor pieces and the wall.
- c. An electrical plate cover was missing on an outlet.
- d. A section of stripping was missing on the upstairs bathroom vanity making it absorbent to moisture and difficult to clean.
- e. Plumbing was in disrepair. Both the kitchen and the bathroom sink were leaking.
- f. The floor in the washroom did not form a water tight joint with the wall/tub/vanity.
- g. The tenant indicated live mice in the suite.
- h. The door to the basement area did not shut properly.
- i. Flooring in the main floor bathroom was damaged.
- j. The front door was not adequately weatherproofed.
- k. The screening was missing on the front door. The screen door that had been placed installed had been improperly installed and had blown off.

6. Suite 16

- a. The handrail from bedroom floor to main floor protrudes from stairs and had the potential to cause injury.
- b. The linoleum flooring by the stairs going to the basement was in disrepair.
- c. The screen on the front door was in disrepair.

7. Suite 19

- a. The washroom flooring was in disrepair. There were missing baseboards in the washroom and there were no water tight joints between areas of floor and the walls/toilet/ and vanity.
- b. The flooring throughout the premises was in disrepair. Numerous transition strips were missing including on the flooring in the living room and at the top of the stairs
- c. The weather stripping on the front door was in disrepair and visible outside light was observed when the door was shut.
- d. The shelf under the kitchen sink and vanity were damaged

8. Suite 20

- a. There were nails protruding from the deck boards.
- b. The kitchen cupboard faces and drawers were in disrepair.
- c. The screen on the kitchen window was missing.
- d. The flooring in the premises was in disrepair. Nosing on the stair was missing and there were large gaps between the flooring and walls.
- e. The shelf under the kitchen sink and vanity were damaged.
- f. The flooring in the bathroom lacked water tight joints. At the base of the tub there was no water tight joint between the bathtub and the floor.
- g. The screen door which had been installed was not adequate. It was not the proper size, not secured and did not properly fit the space.

9. Suite 22

- a. The handrail was missing on the stairs leading to the upstairs level.
- b. The flooring in the washroom was damaged.
- c. The handrail on the stairs leading to basement was missing.

10. Suite 28

- a. Nails were protruding from the deck boards and posed a hazard.

- b. The outdoor deck was in disrepair.

11. Suite 31

- a. The flooring in the premises was damaged. Floor transition strips were missing or damaged. The carpet on stairs was ripped and there were gaps between the floor and wall. The nosing on stairs was damaged.
- b. The trim around the interior door was damaged.
- c. The caulking around the bathtub was in disrepair and a mold like substance noted.
- d. The flooring in the washroom was in disrepair. The floor did not form a water tight joint with the walls and bathtub. A section of baseboard was missing by the bathtub.
- e. The bathroom door was damaged.
- f. The shelf under the kitchen sink and vanities were damaged.
- g. The baseboards in the downstairs washroom behind the toilet were damaged.
- h. The wall in the downstairs washroom behind the toilet was damaged and a mold like substance noted.
- i. The basement window was broken.
- j. There was mould growth noted on the wall in the basement

12. Suite 42

- a. The kitchen flooring was in disrepair.
- b. The shelves under the kitchen sink and bathroom vanities were damaged.
- c. The handrail on the basement stairs was too high.
- d. The flooring in the premises was in disrepair. The nosing on stairs was damaged. Transition strips were missing. There was a section of baseboard missing outside the bathroom. There were large gaps and spaces between the stairs and the walls.
- e. The silicone/caulking around the bathtub was damaged
- f. The baseboards in the washroom were damaged and/or missing.
- g. The smoke alarm was not functioning.
- h. The guard on the stairs leading upstairs was not securely fastened.

13. Common

- a. Lighting was not adequate in the outside between buildings.
- b. Garbage and debris noted on exterior walkways and property.
- c. The electrical outlets in parking lot are in disrepair. Boxes broken, bent and wiring exposed.
- d. Sidewalks are in disrepair and uneven in numerous locations.
- e. Front screen doors have been installed on numerous suites. They were not properly secured, the wrong size and did not provide adequate weatherproofing.
- f. Numerous decks were in disrepair. Some boards were rotting and nails protruding.

14. Suite 18

- a. The main door frame was damaged.
- b. Dry wall by the main/entrance door was damaged and there were holes.
- c. Baseboards were missing from both walls at the front entrance door.
- d. The kitchen faucet leaked and could not be turned off properly.
- e. The kitchen cabinets next to the stove and next to the fridge were in disrepair.
- f. The fridge door handle was broken and missing.
- g. The fridge shelving was in disrepair.
- h. All kitchen wall baseboards were missing.
- i. The shelving in the storage room across from the kitchen was in disrepair.
- j. The caulking around the bathtub was lifting and detaching from the wall.

- k. The bathroom wall by the bathtub had signs of water damage.
- l. The wall behind the toilet was damaged.
- m. All the baseboards were missing in the south side and middle bedroom.
- n. There were holes on the wall by the door or the middle bedroom.
- o. There were baseboards missing in the north side 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 exist in and about the above noted premises, namely:

- a. Items (1a, 12g) are 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.
- b. Items (1b, 2d, 2f, 3d, 4a, 5d, 5h, 7d, 8b, 8e, 10b, 11c, 11e, 11f, 11j, 11h, 12b, 12e, 13f, 14e, 14f, 14g, 14j,) are 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. Items (2a,2c, 4c,5a, 5b, 6b, 8d, 11a, 11b, 12d, 14b, 14c, 14m, 14n, 14o) are 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.
- d. Items (2e, 3a, 4d, 5f, 5i, 7a, 8f, 9b, 11d, 11g, 11h, 12f, 14l, 14k) are 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.
- e. Item (2b) is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge.
- f. Item (12a) is in contravention of section III(5)(a) 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.
- g. Items () are 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. Items (2g, 13a, 13d,13e, 6a, 8a, 8g, 10a) are in contravention of section (5)(2) of the Housing Regulations 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

- i. Items (5k, 6c, 8c, 8g) are 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.
- j. Items (3b, 4b, 9a, 9c, 12c, 12h) are 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.
- k. Items (3c, 5e, 14d) are 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.
- l. Items (5c, 13c) are 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.
- m. Items (3e, 5g) are in contravention of section 5 of the Housing Regulations which states that: The owner shall ensure that the housing premises are free of insect and rodent infestations.
- n. Items (11i, 5j, 7c, 14a) are in contravention of section III(2)(b)(ii) 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.
- o. Item (13b) is in contravention of section VI(15i) of the Minimum Housing and Health Standards which states that: Every housing premises shall have an adequate number of containers suitable for the storage of garbage and refuse awaiting final disposal.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

1. Retain the services of an Environmental Consultant or Industrial/Occupational Health Hygienist prior to beginning renovation or repairs where potential asbestos building materials will be disturbed and/or removed or where there is presence of water damaged material. As these premises were built prior to 1990 the presence of asbestos within building materials is likely and all precautions must be taken.
 - The hired consultant must assess the conditions within the above noted premises including performing applicable sampling for asbestos containing materials. Reports are to be submitted to EPH for review.

- In the event asbestos is present provide Environmental Public Health with a written asbestos management/abatement plan in accordance with the Alberta Occupational Health and Safety Code for Asbestos abatement.
- Once the above is completed have the environmental consultant assess the conditions within the above noted premises for all water damaged materials and mould. A full pre mould remediation inspection report is required and at a minimum the report must describe the building construction, finishes, materials and components and recommendations for restoration.
- Once the materials have been removed and a post mould remediation report is required which will include environmental air quality sampling and photographic evidence that all mouldy material has been removed. Please follow the Alberta Health Services "Fungal Air Testing, Investigation and Reporting Requirements for Extensively Mould-Contaminated Buildings".

2. Commence repairs on suites and common areas.

Suite 3

- a. Install a functioning smoke alarm in the premises. Ensure the smoke alarm is operational at all times.
- b. Repair or replace the front exterior deck so it is good repair and structurally sound.

Suite 5

- c. Install the missing floor transition pieces in the closet and between the hall and the adjacent rooms.
- d. Install the window opener on the front window so the window can be opened.
- e. Repair and finish the front bedroom window trim so it is in good repair and easy to clean.
- f. Repair or replace the bathroom door so it is in good repair and easy to clean.
- g. Repair or replace the washroom flooring so it is smooth, non-absorbent to moisture and easy to clean. Ensure there are no gaps between the floor tiles and the wall by the toilet. All walls shall form a watertight joint with each other, the floor, the ceiling and with the bathtub.
- h. Repair or replace the kitchen cupboard faces so they are in good repair and easy to clean.
- i. Repair the exterior concrete ramp so it is in good repair and does not pose a tripping hazard.

Suite 7

- j. Repair the upstairs bathroom flooring so it is in good repair and not lifting.
- k. Install a hand rail on the top set of stairs.
- l. Repair the toilet in the upstairs bathroom so it is in good repair and flushes properly.
- m. Repair the bedroom door adjacent to the washroom so it shuts properly and is in good repair.
- n. Implement an integrated pest control program for the suite. Work must be done by a certified pest control company and include numerous controls. This will require identifying sources of entry, sealing cracks, etc. and removing places that encourage harbourage of pests.

Suite 12

- o. Repair or replace the basement door so it is in good repair and easy to clean..
- p. Secure the handrails leading to the upstairs are properly secured.

- q. Repair the nosing on the stairs going upstairs so they are in good repair and not loose and lifting.
- r. Repair the washroom flooring so it is smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and with the bathtub.

Suite 15

- s. Install the floor transition piece in the front entrance and repair the gaps between the stair floor pieces. Ensuring floor throughout the premises is in the good repair and easy to clean.
- t. Install an electrical plate cover on the outlet. Ensure all outlets, switches and fixtures are properly installed and maintained in a good and safe working condition.
- u. Repair the upstairs bathroom vanity where there was absorbent particle board exposed. Ensure all surfaces in the washroom are finished in a material that is smooth, non-absorbent and easy to clean.
- v. Repair the plumbing in the kitchen and the bathroom sink so the plumbing is in good repair and free of leaks. Ensure
- w. Repair or replace the washroom floor so there is a water tight joint with the wall, the tub and the vanity. Ensure the flooring is smooth, non-absorbent and easy to clean.
- x. Implement an integrated pest control program for the suite. Work must be done by a certified pest control company and include numerous controls. This will require identifying sources of entry, sealing cracks, etc. and removing places that encourage harbourage of pests.
- y. Remove or repair the door to the basement so it is in good repair and can be properly shut.
- z. Repair the main floor bathroom flooring so it is smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, and the ceiling.
- aa. Repair the front door so it is properly weatherproofed.
- bb. Install a screen door which is in good repair, properly sized and secured.

Suite 16

- cc. Modify the handrail so it does not protrude into the hallway where people walk
- dd. Repair or replace the damaged linoleum flooring by the stairs going to the basement. Ensure flooring is in good repair and easy to clean.
- ee. Install a screen door which is in good repair, properly sized and secured.

Suite 19

- ff. Repair or replace the washroom flooring so it is smooth, non-absorbent to moisture and easy to clean. Install baseboards and ensure there is a water tight joint with the wall, the tub, the toilet and the vanity.
- gg. Repair or replace the flooring throughout the premises. This includes installing missing transition floor pieces in the living room and at the top of the stairs. Ensure flooring throughout the premises is in good repair and easy to clean.
- hh. Repair the front door so it is properly weatherproofed.
- ii. Remove the damaged shelf and material under the kitchen sink and vanity and replace with material which is in good repair, smooth, non-absorbent and easy to clean.

Suite 20

- jj. Remove the nails which are protruding from the deck boards. Repair exterior decks so they are in good repair and do not pose a hazard.

- kk. Repair or replace the kitchen cupboard faces and drawers so they are in good repair, smooth, non-absorbent and easy to clean.
- ll. Install a window screen on the kitchen window. Ensure all openable windows are equipped with window screens.
- mm. Repair or replace the flooring in the premises so it is in good repair. This includes the nosing on the stair and the large gaps between the flooring and walls.
- nn. Remove the damaged shelf and material under the kitchen sink and replace with material which is in good repair, smooth, non-absorbent and easy to clean.
- oo. Repair or replace the washroom flooring so it is smooth, non-absorbent to moisture and easy to clean and ensure there is a water tight joint with the wall, the tub, the toilet and the vanity.
- pp. Install a screen door which is in good repair, properly sized and secured.

Suite 22

- qq. Install a handrail on the stairs leading to the upstairs level and on the stairs leading to the basement.
- rr. Repair or replace the washroom flooring so it is smooth, non-absorbent to moisture and easy to clean and ensure there is a water tight joint with the wall, the tub, the toilet and the vanity.

Suite 28

- ss. Remove the nails which are protruding from the deck boards. Repair exterior decks so they are in good repair and do not pose a hazard.
- tt. Repair or replace the front exterior deck so it is good repair and structurally sound.

Suite 31

- uu. Repair or replace the flooring in the premises so it is in good repair. This includes the carpet on the stairs, the nosing on the stair and the large gaps between the flooring and walls.
- vv. Repair the damaged trim around the interior door. Ensure all door trims are in good repair.
- ww. Remove the damaged caulking around the bathtub and clean and disinfect the area. Install caulking to ensure water tight joint.
- xx. Repair or replace the washroom flooring so it is smooth, non-absorbent to moisture and easy to clean. Install baseboards in the upstairs washroom and ensure there is a water tight joint with the wall, the tub, the toilet and the vanity. Remove the damaged baseboards in the downstairs washroom and replace with baseboards which are in good repair.
- yy. Repair or replace the bathroom door so it is in good repair.
- zz. Remove the damaged shelf and material under the kitchen sink and vanities. Replace with material which is in good repair, smooth, non-absorbent and easy to clean.
- aaa. Remove the damaged wall material in the downstairs washroom behind the toilet was damaged and replace material with material that is in good repair and smooth, non-absorbent and easy to clean.
- bbb. Repair or replace the broken basement window.
- ccc. Remove the damaged wall material in the downstairs area and replace material with material that is in good repair and smooth, non-absorbent and easy to clean. As mold growth was noted ensure proper clean-up/remediation is conducted.

Suite 42

- ddd. Repair or replace the damaged kitchen flooring. Ensure flooring is in good repair, smooth, non-absorbent and easy to clean.
- eee. Remove the damaged shelf and material under the kitchen sink and vanities. Replace with material which is in good repair, smooth, non-absorbent and easy to clean.
- fff. Install the handrail on the basement stairs at an appropriate height XX.
- ggg. Repair or replace the flooring in the premises so it is in good repair. This includes the nosing on the stair, missing floor transition strips, missing baseboards outside the washroom and the large gaps between the flooring and walls.
- hhh. Remove the damaged caulking around the bathtub and clean and disinfect the area. Install a caulking to ensure water tight joint.
- iii. Repair the washroom flooring so it is smooth, non-absorbent to moisture and easy to clean. Install baseboards that are in good repair and ensure there is a water tight joint with the wall, the tub, the toilet and the vanity.
- jjj. Install a smoke alarm in the premises that is functioning and in good repair at all times.
- kkk. Securely fasten the guard on the stairs leading upstairs.

Common Areas and Systemic Issues

- III. Ensure there is adequate lighting installed and functioning on the outside of the premises and between buildings.
- mmm. Remove accumulation of garbage and debris from the exterior walkways and property. Ensure premises are kept in clean manner and garbage bins covered.
- nnn. Have a certified electrician assess the exterior parking lot electrical posts. Submit a copy of his report to our office. Implement all measures outlined by the electrical which should include repairing the damage electrical outlets, broken boxes, and exposed wiring.
- ooo. Repair the exterior walkways so they are in good repair, even and do not pose tripping hazards.
- ppp. Ensure all front screen doors which have been installed on numerous suites which are to small and/or not properly secured are removed and replaced. Install a screen door which is in good repair, properly sized and secured.
- qqq. Repair all exterior decks which are in disrepair and rotting so they are in good repair and do not pose a hazard.
- rrr. Take any necessary action to eliminate the mouse infestation in the premises:
 - Treat all affected areas and provide this office with detailed documentation of the pest control activities completed and/or pest control reports.
 - Utilize IPM (Integrated Pest Management) techniques to control the infestation.
 - Continue pest control measures until the infestation has been cleared

Suite 18

- rrr. Repair the main door and ensure exterior doors are in good repair.
- sss. Repair the damaged wall and flooring throughout the suite. This includes damaged walls, missing baseboards throughout the bedrooms, bathrooms, kitchen and entrance ways.
- ttt. Repair the leaking kitchen faucet.
- uuu. Repair or replace the damaged kitchen cupboards.
- vvv. Repair or replace the damaged shelving in the storage closet.
- www. Remove and redo the caulking around the bathtub.

3. The work referred to in paragraph 2 shall be completed by prior to starting removal and disturbance of building materials. All work must be completed by May 15, 2017 with the exception of the following:

- Unsecure screen doors and protruding deck nails must be removed within 48 hours.
- Smoke alarms must be installed within 48 hours.
- Leaking pipes must be fixed within 7 days.
- Pest control must be implemented and reports provided to our office within 7 days.
- Exterior clean-up must be completed within 7 days.
- Walkway repairs and exterior decks must be completed by June 30, 2017

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, April 21, 2017

Confirmation of a verbal order issued to Pran Samir on March 31, 2017.

_____ **(original signed)** _____

Meaghen Allen, CPHI(C)
Executive Officer
Alberta Health Services

Amended April 4, 2017 Order to reflect change in address from 18514 75 avenue to 18515 75 Ave

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, Telus Plaza North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <http://www.health.alberta.ca/about/PHAB.html>

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen'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 Queen'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: www.health.alberta.ca/about/health-legislation.html

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