

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

To: Balbir Sandhu, Manjit Dhesi, Harginder Dhesi, and Ranjit Sandhu
“the Owners”

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

RE: Those housing premises located in Leduc, Alberta and municipally described as:
3410 Rollyview Road.
SE-25-49-24-W4M

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 are no operational smoke alarms located in the required locations throughout the premises.
- b. The premises is not supplied with natural gas (heat). The gas meter for the property has been removed.
- c. The premises is not supplied with electrical service.
- d. The premises is not supplied with a potable water supply due to no electrical service to power the water pump for the well.
- e. The electrical panel for the housing premises is damaged. There are damaged or missing electrical plate covers and light switch covers throughout the premises. The electrical outlet in the living room sparked during the inspection and is not in safe operating condition.
- f. The drinking water quality is unsatisfactory as shown from the bacteriological water sample, collected on April 10, 2017, containing the presence of total coliforms.
- g. The private sewage disposal system is discharging sewage effluent onto the ground surface within 39 meters of the well.
- h. The South East bedroom window is obstructed by the screen fastened to the frame which does not allow for emergency egress.
- i. The rear deck shows evidence of deterioration and rot. The front and rear decks are missing floor boards, have loose railings and are no longer in good repair.
- j. The South window in the porch is cracked.
- k. There is an accumulation of discarded items throughout the yard and back deck including unused appliances, building materials, broken glass, and propane tanks.
- l. There is evidence of fire, smoke, and water damage as a result of the fire that occurred during the inspection.
- m. The heating system and associated venting is contaminated with smoke and soot residue.

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 Standards and the Nuisance and General Sanitation Regulation 243/2003 exist in and about the above noted premises, namely:

- a. There are no operational smoke alarms located in the required locations throughout the premises. This condition is in contravention of Section 12(a) of the Minimum Housing and Health Standards, which states: "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. Smoke alarms shall be operational and in good repair at all times."
- b. The premises is not supplied with natural gas (heat). The gas meter for the property has been removed. This condition is in contravention of Section 8(d) of the Minimum Housing and Health Standards, which states: "Every owner must ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant."
- c. The premises is not supplied with electrical service. This condition is in contravention of Section 8(d) of the Minimum Housing and Health Standards, which states: "Every owner must ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant."
- d. The premises is not supplied with a potable water supply due to no electrical service to power the water pump for the well. This condition is in contravention of Section 8(d) of the Minimum Housing and Health Standards, which states: "Every owner must ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant."
- e. The electrical panel for the housing premises is damaged. There are damaged or missing electrical plate covers and light switch covers throughout the premises. The electrical outlet in the living room sparked during the inspection and is not in safe operating condition. These conditions are in contravention of Section 8(d) of the Minimum Housing and Health Standards, which states: "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."
- f. The drinking water quality is unsatisfactory as shown from the bacteriological water sample, collected on April 10, 2017, containing the presence of total coliforms. This condition is in contravention of Section 9 of the Minimum Housing and Health Standards, which states: "Every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants."
- g. The private sewage disposal system is discharging sewage effluent onto the ground surface within 39 meters of the well. This condition is in contravention of Section 15(1)(d) of the Nuisance and General Sanitation Regulation, which states: "A person shall not deposit sewage effluent on the ground surface within 50 metres of a water well referred to in subsection (2)"
- h. The South East bedroom window is obstructed by the screen fastened to the frame which does not allow for emergency egress. This condition is in contravention of Section 3(b) of the Minimum Housing and Health Standards, which states: "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. 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”).

- i. The rear deck shows evidence of deterioration and rot. The front and rear decks are missing floor boards, have loose railings and are no longer in good repair. These conditions are in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards, which states: “Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, 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.”
- j. The South window in the porch is cracked. This conditions are in contravention of Section 2(b)(i) of the Minimum Housing and Health Standards, which states: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- k. There is an accumulation of discarded items throughout the yard and back deck including unused appliances, building materials, broken glass, and propane tanks. This condition is in contravention of Section 2(2)(h)(i) of the Nuisance and General Sanitation Regulation, which states: “No person shall create, commit or maintain a nuisance; Without limiting the generality of subsection (1), a person who creates, commits or maintains any building that, due to it’s not being in a clean state is or 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.”
- l. There is evidence of fire, smoke, and water damage as a result of the fire that occurred during the inspection . This condition is in contravention of Section (1)(c) of the Minimum Housing and Health Standards, which states: “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”

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 11, 2017.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install functioning smoke alarms in the proper locations throughout the premise.
 - b. Restore the utilities gas, electricity and water under the guidance and direction of the city of Leduc safety codes. The premises must be supplied with gas, electricity, and water as outlined in the Minimum Housing and Health Standards.
 - c. Ensure all electrical outlets, switches and wires are in safe working condition and are provided with appropriate covers. All necessary permits must be obtained and all work must comply with the Alberta Building Code. A copy of the electrical permit and report from a Safety Codes Officer must be provided to Alberta Health Services.
 - d. Provide a report from a Safety Code Officer, electrical discipline that confirms the electrical service within the premises is in good repair, in safe operating condition, and in full compliance with the requirements of the Alberta Building Code and any other applicable regulation or standard.

- e. The surfaces of all walls, floors, ceilings must be properly cleaned, repaired, sealed and painted. Smoke and soot damaged items that cannot be properly cleaned and sanitized must be removed and replaced.
- f. The heating system is to be assessed by a certified professional. The heating unit and ducting throughout the home is to be professionally cleaned.
- g. The private water well must be assessed by a qualified water well driller and treated as recommended to ensure it is potable drinking water. Ensure the premises is provided with water as outlined in the Minimum Housing and Health Standards.
- h. The private sewage disposal system must be assessed, and repaired or replaced as determined by a qualified Private Sewage Disposal System contractor. This system will also need to meet the requirements of the Alberta Private Sewage Systems, Standard of Practice, the Nuisance and General Sanitation Regulation, local bylaws, and Alberta Environment requirements.
- i. Ensure all sleeping areas and bedrooms are equipped with at least one window that can open to meet the minimum requirements for emergency egress. Ensure windows are maintained in good repair do not require tools or special knowledge to open.
- j. Remove and replace all water damaged building material or building material that shows evidence of rot, mold or deterioration.
- k. Repair or replace deck so that so that it is in good repair, structural sound, and complies with the requirements of the Alberta Building Code. Replace missing or damaged guards and railings on deck and stairs so that they are in good repair and comply with the requirements of the Alberta Building Code.
- l. Replace damaged window and ensure that windows and doors are maintained in good repair and weatherproof condition.
- m. Remove accumulation of debris and excess items from the premises exterior.

- 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 Leduc, Alberta, April 13, 2017.

Confirmation of a verbal order issued to Harginder Dhesi on April 11, 2017.

_____ (original signed) _____

Kate Alexander, CPHI(C)
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, 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

Copy City of Leduc

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www.albertahealthservices.ca/eph.asp