

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

**To:** Manmeet Singh Grewal and Nirmal Singh Dhaliwal  
"the Owners"

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

**RE:** Those housing premises located in Strathcona County, Alberta and municipally described as:  
51548 Range Road 232  
NE-34-51-23-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 North East and North West bedrooms in the basement are not provided with adequate emergency egress. The emergency egress window in the North West bedroom on the main floor is obstructed.
- c. There are damaged or missing electrical plate covers and light switch covers throughout the housing premises. The light fixtures in basement are not in good working condition and the junction box on the main floor is exposed and has not been capped.
- d. A report from the Safety Codes Officer, Electrical discipline, indicated various safety code violations including the electrical panel being a fire hazard.
- e. The floor in the pump room under the basement stairs is wet with water pooling in a hole in the concrete.
- f. There is evidence of water damage on building material in the basement including the drywall in the pump room under the stairs, around the tub surround and in the baseboards in the hallway.
- g. There is evidence of dark growth/staining consistent with mould growth observed in the pump room under the stairs.
- h. Areas of the floors, walls, and ceilings throughout the premises are damaged, missing, or in a state of disrepair. There are missing and/or damaged baseboards and floor register covers throughout the premises.
- i. The main floor and basement washrooms are not equipped with water tight seals and/or are in disrepair. The basement washroom is lacking a ceiling and is not equipped with baseboards.

- j. The cast iron main stack shows evidence of deterioration and is no longer in good repair with some moisture seeping out of the connector on the stack.
- k. The windows in the basement and living room are cracked and are not in good repair and are not weather proof.
- l. The windows are not equipped with locks and are not adequately secured.
- m. The South East main floor bedroom is missing a glass pane resulting in a single pane window.
- n. The windows throughout the premises are not equipped with effective insect screens.
- o. The eavestroughing on the exterior of the premises lacks exterior downspouts to divert drainage away from the building. There is an accumulation of water pooling along the foundation.

**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 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 North East and North West bedrooms in the basement are not provided with adequate emergency egress. The emergency egress window in the North West bedroom on the main floor is obstructed. These conditions are 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 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).”
- c. There are damaged or missing electrical plate covers and light switch covers throughout the housing premises. The light fixtures in basement are not in good working condition and the junction box on the main floor is exposed and has not been capped. These conditions are in contravention of Section 11 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.”
- d. A report from the Safety Codes Officer, Electrical discipline, indicated various safety code violations including the electrical panel being a fire hazard. These conditions are in contravention of Section 11 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.”
- e. The floor in the pump room under the basement stairs is wet with water pooling in a hole in the concrete. This condition is in contravention of Section 1(b) of the Minimum Housing and Health Standards which states: “Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water in filtration and accumulation.”

- f. There is evidence of water damage on building material in the basement including the drywall in the pump room under the stairs, around the tub surround and in the baseboards in the hallway. 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.”
- g. There is evidence of dark growth/staining consistent with mould growth observed in the pump room under the stairs. 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.”
- h. Areas of the floors, walls, and ceilings throughout the premises are damaged, missing, or in a state of disrepair. There are missing and/or damaged baseboards and floor register covers throughout the premises. These conditions are in contravention of Section 5 of the Minimum Housing and Health Standards, which states: “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.”
- i. The main floor and basement washrooms are not equipped with water tight seals and/or are in disrepair. The basement washroom is lacking a ceiling and is not equipped with baseboards. These conditions are in contravention of Section 5(a) of the Minimum Housing and Health Standards, which states: “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.”
- j. The cast iron main stack shows evidence of deterioration and is no longer in good repair with some moisture seeping out of the connector on the stack. This condition is in contravention of Section 6(c) of the Minimum Housing and Health Standards, which states: “All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”
- k. The windows in the basement and living room are cracked and are not in good repair and are not weather proof. These 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.”
- l. The windows are not equipped with locks and are not adequately secured. This condition is in contravention of Section 3(a) of the Minimum Housing and Health Standards, which states: “Exterior windows and doors shall be capable of being secured.”
- m. The South East main floor bedroom is missing a glass pane resulting in a single pane window. This condition is in contravention of Section 2(b)(ii) of the Minimum Housing and Health Standards, which states: “In a 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 approve by the Executive Officer.”
- n. The windows throughout the premises are not equipped with effective insect screens. This condition is in contravention of Section 2(b)(iii) of the Minimum Housing and Health Standards, which states: “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.”

- o. The eavestroughing on the exterior of the premises lacks exterior downspouts to divert drainage away from the building. There is an accumulation of water pooling along the foundation. This condition is in contravention of Section 2(a) of the Minimum Housing and Health Standards, which states: “The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”

**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**:

- a. That the occupants vacate the above noted premises on or before February 21, 2017
- b. 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 premises.
  - b. 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 that windows are accessible and are in good working condition.
  - c. Ensure a Safety Codes Officer conducts an assessment of the electrical system in the premises to ensure that it is in good working condition and meets the requirements in the Alberta Building Code. Ensure that all appropriate permits are obtained prior to making modification. Provide a copy of the report to Alberta Health Services indicating compliance.
  - d. Ensure all electrical outlets and switches are in safe working condition and are provided with appropriate covers.
  - e. Remove standing water from basement and remove all building materials that show evidence of water damage. Retain the services of a professional contractor to investigate the source of the water. Ensure all prescribed repairs are conducted and the basement is free from water infiltration and accumulation. Provide our office with a report outlining the identified issues and work completed.
  - f. Assess the basement for extent of water damage and mould growth. Remove and replace all water damaged building material or building material that shows evidence of structural deterioration, rot or mould. Where mould growth is extensive, remediation must be conducted in accordance with recommendations from Alberta Health Services or a certified mould remediation company.
  - g. Repair or replace all damaged areas of walls, ceilings, floors and floor coverings to ensure that they are in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders them easy to clean. Ensure baseboards and floor registers are properly installed and in good repair throughout the premises.
  - h. Ensure the bathrooms are provided with walls, floors, and ceilings that are smooth, non-absorbent to moisture, easy to clean, and forms watertight joints with each other at the floor and ceiling. Ensure sealant is maintained in good repair.
  - i. Repair or replace plumbing fixtures so that they are in good repair and easy to clean. Ensure plumbing system is maintained in good repair and good working condition at all times.
  - j. Repair or replace all cracked or damaged windows and ensure the windows can be secured and locked.

- k. Repair or replace single pane windows with windows that provide sufficient insulation and weather barrier during winter months.
  - l. Ensure eavestroughs are in good repair and install downspouts that extend away from building foundation. Ensure eavestroughs and downspouts are maintained in good repair and in proper functioning condition.
  - m. Install effective screens on all open able windows. Screens are to be maintained in good repair at all times.
- b. 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, February 14, 2017

Confirmation of a verbal order issued to Nirmal Dhaliwal on February 14, 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](mailto: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](http://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](http://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](http://www.health.alberta.ca/about/health-legislation.html)

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Copy: Strathcona County

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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)