

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

**To:** Hardial Singh Manhas  
"the Owner"

Pinki Manhas  
"the Owner"

Kulwant Manhas  
"the Owner"

Jaswant Manhas  
"the Owner"

**And To:** All Occupant(s) of the following Housing premises: 117 Martinglen Way NE –  
Basement

**RE:** Those housing premises located in Calgary, Alberta and municipally described as: 117  
Martinglen Way NE – Basement

**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. The window in the bedroom was too small for emergency egress. The openable area measured approximately 16 inches high and 20 inches wide.
- b. The window lock in the bedroom would not latch onto the windowpane and was ineffective.
- c. The handrail installed along the stairs to the basement was wobbly and no longer properly secured in place.
- d. The light fixture at the top of the stairs (near the entrance door) was not working and it was very dark along the stairs to the basement suite.
- e. There was significant mould growth from the floor up the wall behind the hot water tank in the utility room. The mold growth measured approximately 70 inches high and 24 inches wide on the wall.
- f. There was no electrical outlet cover installed for the outlet behind the laundry machines.
- g. The caulking installed between the base of the bathtub and the bathroom floor was worn and no longer effective. Portions of the flooring was also starting to lift.
- h. Flooring was missing under the laundry machines located in the bathroom.
- i. The ceiling above the shower head in the bathroom was water damaged and falling apart.

- j. The ceiling access panel installed to cover a hole in the bedroom was falling and not properly secured in place.
- k. A transition strip was missing between the carpet in the bedroom and the bathroom floor.
- l. There was mould growth observed on the walls behind the washer/dryer in the bathroom.
- m. Portions of the caulking/ grouting installed around the bathtub surround was mouldy.
- n. A section of the bathtub surround wall was peeling away from the tiles.
- o. There was one windowpane missing from the living room window.
- p. There was no insect screen installed for the window in the bedroom.
- q. The insect screen installed for the living room window was not properly secured in place and ineffective.
- r. When the entrance door was fully closed, gaps to the exterior were exposed along the bottom and the top corners of the door.
- s. Several garbage bags were observed in the backyard outside the property.

**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, 2003 exist in and about the above noted premises, namely:

- a. The window in the bedroom was too small for emergency egress. The openable area measured approximately 16 inches high and 20 inches wide. This is a contravention of section III(3)(b)(ii) of the Minimum Housing and Health Standards which states that: Windows referred to in section III(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”).
- b. The window lock in the bedroom would not latch onto the windowpane and was ineffective. This is a contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
- c. The handrail installed along the stairs to the basement was wobbly and no longer properly secured in place. This is a contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards which states that: 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.
- d. The light fixture at the top of the stairs (near the entrance door) was not operational and it was very dark along the stairs to the basement suite. This is a 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. This is also a contravention of section IV(13) of the Minimum Housing and Health Standards which states that: Every public hallway and stairway in a housing premises with multiple dwellings shall be adequately lighted by natural or artificial light at all times, providing in all parts thereof at least 50 lux of light at each tread or floor level.
- e. There was significant mould growth from the floor up the wall behind the hot water tank in the utility room. The mold growth measured approximately 70 inches high and 24 inches wide on the wall. This is a contravention of section 2(1) of the Public Health Act Nuisance

and General Sanitation Regulation, 2003 which states that: no person shall create, commit or maintain a nuisance. This is also a 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.

- f. There was no electrical outlet cover installed for the outlet behind the laundry machines. This is a 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.
- g. The caulking installed between the base of the bathtub and the bathroom floor was worn and no longer effective. Portions of the flooring was also starting to lift. This is a 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.
- h. Flooring was missing under the laundry machines located in the bathroom. This is a 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.
- i. The ceiling above the shower head in the bathroom was water damaged and falling apart. This is a 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. This is also a 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.
- j. The ceiling access panel installed to cover a hole in the bedroom was falling and not properly secured in place. This is a 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.
- k. A transition strip was missing between the carpet in the bedroom and the bathroom floor. This is a 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.

- l. There was mould growth observed on the walls behind the washer/dryer in the bathroom. This is a contravention of section 2(1) of the Public Health Act Nuisance and General Sanitation Regulation, 2003 which states that: no person shall create, commit or maintain a nuisance. This is also a 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.
- m. Portions of the caulking/ grouting installed around the bathtub surround was mouldy. This is a contravention of section 2(1) of the Public Health Act Nuisance and General Sanitation Regulation, 2003 which states that: no person shall create, commit or maintain a nuisance. This is also a contravention of section 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.
- n. A section of the bathtub surround wall was peeling away from the tiles. This is a 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.
- o. There was one windowpane missing from the living room window. This is a 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.
- p. There was no insect screen installed for the window in the bedroom. This is a 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.
- q. The insect screen installed for the living room window was not properly secured in place and ineffective. This is a 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.
- r. When the entrance door was fully closed, gaps to the exterior were exposed along the bottom and the top corners of the door. This is a 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.
- s. Several garbage bags were observed in the backyard outside the property. This is a contravention of section 2(1) of the Public Health Act Nuisance and General Sanitation Regulation, 2003 which states that: no person shall create, commit or maintain a nuisance.

**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 15, 2025.
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 a new bedroom window that meets sections III3(b)(ii) of the Minimum Housing and Health Standards. City of Calgary Building Code permits may be required for this work.
  - b. Install a new window lock for the bedroom window and ensure the window can lock.
  - c. Secure the handrail so it is no longer wobbly.
  - d. Repair or replace the light fixture so the stairs are properly lit.
  - e. Determine the source of water or excess moisture causing mould growth in the utility room and properly repair. Then, remove all water damaged and mouldy building materials and replace with all new materials.
  - f. Install a proper cover for the exposed outlet behind the laundry machine.
  - g. Re-seal the joint between the base of the bathtub and the bathroom floor. Repair or replace the bathroom flooring so it is no longer lifting.
  - h. Install proper flooring in the bathroom under the laundry machines.
  - i. Determine the source of excess moisture or water causing water damage above the shower head and properly repair. Then, repair the damaged ceiling above the shower head.
  - j. Secure the ceiling access panel in the bedroom.
  - k. Install a proper transition strip between the carpet in the bedroom and the bathroom floor.
  - l. Determine the source of excess moisture or water causing the mould growth behind the washer/ dryer and properly repair. Ensure the dryer is properly vented to the exterior of the home. Then, remove the mouldy / water damaged building materials and replace with all new materials.
  - m. Wash surface mould off the grouting / caulking around the bathtub surround. If the mould cannot be washed off, remove and replace.
  - n. Repair or replace the bathtub surround wall so it is secured in place and water-tight joints are formed.
  - o. Install the missing windowpane for the living room window.
  - p. Install the missing insect screen for the openable window in the bedroom.
  - q. Install a tight-fitting insect screen for the openable living room window.
  - r. Repair or replace the weatherstripping around the entrance door to eliminate the gaps exposed to the exterior and ensure that this door is weatherproof.
  - s. Properly remove and dispose of the garbage bags stored in the backyard.
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 Calgary, Alberta, January 28, 2025  
Confirmation of a verbal order issued to Kulwant Manhas on January 24, 2025

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](mailto: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>

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