

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

To: Nancy Randhawa
"the Owner"

And

Surrinder Randhawa
"the Property Manager"

And To: All Occupant(s) of the following Housing premises: 1711 38 Street SE

RE: Those housing premises located in Calgary, Alberta and municipally described as: 1711 38 Street SE

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:

Common

- a. There is a significant cockroach infestation in this house. Both live and dead cockroaches were observed in the main floor kitchen in broad daylight.
- b. There is a very strong sewer gas odour throughout the entire house. It was strongest in the basement washroom, but could be smelled in the upper floor as well.
- c. The light switch conduits along the stairs to the basement are exposed and not properly installed. There are also no light switch covers installed.
- d. There is no handrail along the stairs to the basement.

Main Floor

- a. The door between the stairs to the basement and the main floor unit is in very poor condition. There is no door knob and there is damage which has been patched with pieces of wood.
- b. The kitchen counters and cupboards are in very poor condition. There are several places where the finish is missing, the materials are damaged and broken, and where there are holes and missing pieces.
- c. There is a significant amount of water damage and mould growth under the kitchen sink.
- d. There are several missing and broken electrical outlet and light switch covers throughout this unit.
- e. The drywall to the right of the bathtub has some water damage and baseboards are missing from this section of wall.
- f. The caulking around the bathtub is mouldy, peeling, and ineffective.

- g. The door trim and drywall around the back door is damaged and missing in some spots.
- h. There are several cracked floor tiles in the washroom.
- i. Several window frames are water damaged and rotting. This appears to be due to weatherproofing issues. Weather stripping was nailed up on the inside of several window frames.
- j. The bathtub faucet is dripping.
- k. The weather stripping for both the front and back doors are in poor condition. There are gaps and as a result the doors are no longer weatherproof.
- l. Several windows do not have insect screens.

Basement

- a. There have been sewage backups in the basement unit from the drain cleanout beside the toilet.
- b. There is some standing water and sewage debris on the floor in the laundry room.
- c. There is some water on the floor in the furnace room around the furnace and hot water tank.
- d. The inswing window in the southwest bedroom does not stay open on its own.
- e. The kitchen counters and cupboards are in very poor condition. There are several places where the finish is missing, the materials are damaged and broken, and there are holes and missing pieces.
- f. There is a large hole in the drywall near the bottom of the stairs where the furnace and hot water tank are located.
- g. The vent cover on the ceiling in the washroom is falling down and was previously taped up.
- h. There is water damage and a hole in the ceiling above the hand sink and shower in the washroom. Part of the damaged area is being covered with unfinished plywood.
- i. There are holes and damaged sections of drywall on the walls and ceiling throughout the hallway and kitchen.
- j. There is a hole in the living room wall which is being covered with a cold air return vent cover.
- k. The flooring in the south east bedroom is in very poor condition. The floor tiles are chipped, lifting, and stained.
- l. The laminate flooring immediately outside the south east bedroom is incomplete and in poor condition. There is a large gap between the door frame from the south east bedroom and the laminate boards.
- m. The flooring in the south west bedroom is in very poor condition. The carpeting is heavily soiled and stained. The transition bar between the carpeting and the linoleum in the kitchen is missing.
- n. The backsplash in the kitchen beside the stove is peeling and appears to be melted.

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:

Common

- a. There is a significant cockroach infestation in this house. Both live and dead cockroaches were observed in the main floor kitchen in broad daylight. This is in contravention of section V(16)(a) of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises are free of insect and rodent infestations.
- b. There is a very strong sewer gas odour throughout the entire house. It was strongest in the basement washroom, but could be smelled in the upper floor as well. This is in contravention of section IV(6)(a) of the Minimum Housing and Health Standards which states that: The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
- c. The light switch conduits along the stairs to the basement are exposed and not properly installed. There are also no light switch covers installed. This is 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.
- d. There is no handrail along the stairs to the basement. This is 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.

Main floor

- a. The door between the stairs to the basement and the main floor unit is in very poor condition. There is no door knob and there is damage which has been patched with pieces of wood. This is 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.
- b. The kitchen counters and cupboards are in very poor condition. There are several places where the finish is missing, the materials are damaged and broken, and where there are holes and missing pieces. This is in contravention of section IV(14)(a)(ii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: cupboards or other facilities suitable for the storage of food; and section IV(14)(a)(iii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.
- c. There is a significant amount of water damage and mould growth under the kitchen sink. This is 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.
- d. There are several missing and broken electrical outlet and light switch covers throughout this unit. This is 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.
- e. The drywall to the right of the bathtub has some water damage and baseboards are missing from this section of wall. This is 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.

- f. The caulking around the bathtub is mouldy, peeling, and ineffective. This is 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.
- g. The door trim and drywall around the back door is damaged and missing in some spots. This is 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.
- h. There are several cracked floor tiles in the washroom. This is 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.
- i. Several window frames are water damaged and rotting. This appears to be due to weatherproofing issues. Weather stripping was nailed up on the inside of several window frames. This is 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. As well as 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 bathtub faucet is dripping. This is in contravention of section IV(6)(a) of the Minimum Housing and Health Standards which states that: The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
- k. The weather stripping for both the front and back doors are in poor condition. There are gaps and as a result the doors are no longer weatherproof. This is 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.
- l. Several windows do not have insect screens. This is 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.

Basement

- a. There have been sewage backups in the basement unit from the drain cleanout beside the toilet. This is in contravention of section IV(6)(a) of the Minimum Housing and Health Standards which states that: The plumbing system and the sanitary drainage system or

- private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
- b. There is some standing water and sewage debris on the floor in the laundry room. This is in contravention of section 5(2) of the Housing Regulation 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.
 - c. There is some water on the floor in the furnace room around the furnace and hot water tank. This is in contravention of section 5(2) of the Housing Regulation 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.
 - d. The inswing window in the southwest bedroom does not stay open on its own. This is in contravention of section III(3)(b) of the Minimum Housing and Health Standards which states that: 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, and section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
 - e. The kitchen counters and cupboards are in very poor condition. There are several places where the finish is missing, the materials are damaged and broken, and there are holes and missing pieces. This is in contravention of section IV(14)(a)(ii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: cupboards or other facilities suitable for the storage of food; and section IV(14)(a)(iii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned
 - f. There is a large hole in the drywall near the bottom of the stairs where the furnace and hot water tank are located. This is 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.
 - g. The vent cover on the ceiling in the washroom is falling down and was previously taped up. This is 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.
 - h. There is water damage and a hole in the ceiling above the hand sink and shower in the washroom. Part of the damaged area is being covered with unfinished plywood. This is 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.

- i. There are holes and damaged sections of drywall on the walls and ceiling throughout the hallway and kitchen. This is 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. As well as section III(5)(b) 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.
- j. There is a hole in the living room wall which is being covered with a cold air return vent cover. This is 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.
- k. The flooring in the south east bedroom is in very poor condition. The floor tiles are chipped, lifting, and stained. This is 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.
- l. The laminate flooring immediately outside the south east bedroom is incomplete and in poor condition. There is a large gap between the door frame from the south east bedroom and the laminate boards. This is 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.
- m. The flooring in the south west bedroom is in very poor condition. The carpeting is heavily soiled and stained. The transition bar between the carpeting and the linoleum in the kitchen is missing. This is 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.
- n. The backsplash in the kitchen beside the stove is peeling and appears to be melted. This is in contravention of section III(5)(b) 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.

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 **March 9, 2018**.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

Common

- a. Eliminate the cockroach infestation. Contract the services of a professional pest control company and provide copies of all invoices and reports to an Executive Officer of Alberta Health Services.
- b. Have a professional plumber inspect the plumbing system and ensure that it is functioning and draining properly. Provide copies of all invoices and reports to an Executive Officer of Alberta Health Services.
- c. Repair the light switches along the stairs to the basement. Ensure the electrical connections are in safe working condition.
- d. Install a handrail along the stairs to the basement.

Main Floor

- a. Replace the door between the stairs to the basement and the main floor unit.
- b. Repair or replace the kitchen cupboards and counters.
- c. Determine the source of the leak under the kitchen sink and correct this. Remove all water damaged and mouldy materials, replace with new materials, and re-finish.
- d. Repair broken electrical outlets and light switches. Ensure all have proper covers.
- e. Repair the drywall damage to the right of the bathtub and replace the missing baseboard.
- f. Remove old caulking and re-seal around the bathtub.
- g. Repair the door trim and drywall around the back door. Re-finish the area.
- h. Replace cracked floor tiles.
- i. Remove all water damaged and rotting materials from around the windows, replace with new materials and ensure the windows are weatherproof.
- j. Repair the bathtub faucet.
- k. Replace the weather stripping for both the front and back door.
- l. Replace missing insect screens. All openable windows must have tight-fitting insect screens.

Basement

- a. Clean and disinfect all areas which were impacted by the sewage backups. Any absorbent materials, such as drywall, must be removed and replaced with new material.
- b. Determine the source of the water in the furnace room and correct this.
- c. Modify the window in the south west bedroom so that it is able to stay open on its own.
- d. Repair or replace the kitchen cupboards and counters.
- e. Repair and re-finish the drywall near the bottom of the stairs where the furnace and hot water tank are located.
- f. Repair the vent cover in the washroom and ensure it is secured in place.
- g. Repair and re-finish the damaged ceiling above the hand sink and shower in the washroom.
- h. Repair and re-finish the damaged sections of drywall on the walls and ceiling throughout the hallway and kitchen.
- i. Repair and re-finish the hole in the wall in the living room which is being covered with the cold air return vent cover.
- j. Replace the flooring in the south east bedroom.
- k. Replace the flooring in the hallway outside the south east bedroom.
- l. Replace the flooring in the south west bedroom.

- m. Remove the melted and damaged backsplash in the kitchen and re-finish the area.
- 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.
- 4. All work listed in paragraph 2 above must be completed to the satisfaction of an Executive Officer of Alberta Health Services by **June 8, 2018**.

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, March 7, 2018

Confirmation of a verbal order issued to Surrinder Randhawa on February 9, 2018.

Erin McKenna, CPHI(C)
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, 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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