

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

To: Jaspal Josan
"the Owner"

Ann Thaula
"the Owner"

And To: All Occupant(s) of the following Housing premises: 3503 41 Street SW - Basement

RE: Those housing premises located in Calgary, Alberta and municipally described as: 3503 41 Street SW – 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. Ceiling panels were missing in the kitchen, exposing raw wood and other building materials.
- b. Yellow water staining was observed on the left side wall, and ceiling in kitchen area.
- c. The washroom tile underlay was exposed along the step to the bathtub in the washroom. The tiles along the side of the step were not secure or finished with grout, leaving gaps in between tiles.
- d. Cut out hole in the wall which appeared to be a plumbing access point located on the left side of the toilet was missing a cover.
- e. Both bedrooms in the suite had vertical sliding windows measuring 17" x 13 ½" with an openable area of approximately 1.59 square feet.
- f. There were no smoke alarms installed in the suite.
- g. Water damage was observed and moisture was detected on the wall above entrance door into the basement suite.
- h. Water damage was observed and moisture was detected on the floor in the laundry room.
- i. Water damage was observed and moisture was detected on various spots on the carpet in the bedroom adjacent to the laundry room.
- j. The hot water temperature was measured at 17 degrees Celsius.
- k. The insect screen in the bedroom window closest to the washroom was damaged and was not tight fitting.
- l. The insect screen in the kitchen window had multiple small holes.

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. Ceiling panels were missing in the kitchen, exposing raw wood and other building materials. 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. Yellow water staining was observed on the left side wall, and ceiling in kitchen area. 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.
- c. The washroom tile underlay was exposed along the step to the bathtub in the washroom. The tiles along the side of the step were not secure or finished with grout, leaving gaps in between tiles. 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.
- d. Cut out hole in the wall which appeared to be a plumbing access point located on the left side of the toilet was missing a cover. 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.
- e. Both bedrooms in the suite had vertical sliding windows measuring 17" x 13 ½" with an openable area of approximately 1.59 square feet. This is in 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 m² (3.8ft²), with no dimension less than 380 mm (15").
- f. There were no smoke alarms installed in the suite. This is in contravention of section IV(12) of the Minimum Housing and Health Standards which states that: 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.
- g. Water damage was observed and moisture was detected on the wall above entrance door into the basement suite. This is in contravention of section III(1)(a,b) of the Minimum Housing and Health Standards which states that: The housing premises shall be structurally sound, and; basements, cellars or crawl spaces shall be structurally sound, and maintained in good repair and free from water infiltration and accumulation. 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.
- h. Water damage was observed and moisture was detected on the floor in the laundry room. This is in contravention of section III(1)(a,b) of the Minimum Housing and Health Standards which states that: The housing premises shall be structurally sound, and; basements, cellars or crawl spaces shall be structurally sound, and maintained in good

repair and free from water infiltration and accumulation. 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.

- i. Water damage was observed and moisture was detected on various spots on the carpet in the bedroom adjacent to the laundry room. This is in contravention of section III(1)(a,b) of the Minimum Housing and Health Standards which states that: The housing premises shall be structurally sound, and; basements, cellars or crawl spaces shall be structurally sound, and maintained in good repair and free from water infiltration and accumulation. 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 hot water temperature was measured at 17 degrees Celsius. This is in contravention of section IV(9)(a) of the Minimum Housing and Health Standards which states that: All hot running water shall be maintained at a temperature of not less than 46°C (114°F), and not more than 60°C (140°F) measured at the plumbing fixture.
- k. The insect screen in the bedroom window closest to the washroom was damaged and was not tight fitting. 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.
- l. The insect screen in the kitchen window had multiple small holes. 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.

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 October 20, 2024.
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 tight fitting ceiling panels in kitchen and ensure raw wood and building materials are covered.
 - b. Repair the water damaged ceiling and wall material in kitchen area.
 - c. Assess washroom tile underlay for water damage and ensure tiles are properly installed with grout. Install tile so underlay is completely covered. Ensure there are no cracks or holes in the tiling to allow for water infiltration.
 - d. Install a cover over the plumbing access point located on the left side of the toilet in the washroom.
 - e. Install bedroom windows that meet the egress requirements outlined in section III3(b)(ii) of the Alberta Minimum Housing and Health Standards.
 - f. Install operational smoke alarms between sleeping areas.

- g. Identify the source/cause of the water infiltration and perform necessary repairs to prevent further water infiltration and damage. Remove all mouldy and/or water damaged building material, thoroughly dry out area, and refinish with new building materials.
- h. Repair the hot water system so that hot water can be supplied in a timely manner and is maintained between 46°C and 60°C.
- i. Repair or replace the window screens in the bedroom window closest to the washroom as well as the kitchen window.

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, September 24, 2024.
Confirmation of a verbal order issued to Ann Thaula on September 20, 2024.

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
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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<https://www.ahs.ca/eph>