

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

To: 926770 Alberta LTD.
"the Owner"

Karamjit Johal
"the Owner"

Ankar Johal
"the Property Manager"

Cindy Schofield
"the Property Manager"

And To: All Occupant(s) of the following Housing premises: 4313R 84 Street NE – Front Office Suite

RE: Those housing premises located in Calgary, Alberta and municipally described as:
4313R 84 Street NE – Front Office Suite

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 was no running water available in the suite.
- b. The toilet was not operational.
- c. There were numerous buckets of human waste observed outside near the suite.
- d. The ambient temperature of the office suite measured up to 13 degrees Celsius.
- e. The openable area in the bedroom window measured approximately 21 inches high and 16 inches wide, which is too small for emergency egress requirements.
- f. There were numerous electrical wires, including multiple extension cords, that were haphazardly hanging throughout the kitchen.
- g. There were electrical wires hanging from the kitchen ceiling.
- h. There was no smoke alarm installed in the suite.
- i. There were missing electrical outlets and light switch covers throughout the suite.
- j. The front exterior railing was missing spindles along the railing, exposing a gap larger than 4 inches.
- k. Water staining was observed on the ceiling near the kitchen area.
- l. Baseboards were missing throughout the suite.

- m. The wall surrounding the bathroom vanity was unfinished.
- n. There was no proper siding installed around the exterior of the suite.
- o. The storage units under the kitchen counter were made of porous raw wood and improperly finished.
- p. There was no stove or method to cook food available in the kitchen.

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. There was no running water available in the suite. This is a contravention of section IV(9) of the Minimum Housing and Health Standards which states that: Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.
- b. The toilet was not operational. This is a contravention of section IV(6)(b) of the Minimum Housing and Health Standards which states that: Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures. This is also a 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. There were numerous buckets of human waste observed outside near the suite. This is a contravention of section IV(6) of the Minimum Housing and Health Standards which states that: Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. This is also 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.
- d. The ambient temperature of the office suite measured up to 13 degrees Celsius. This is a contravention of section IV(8)(a)(i) of the Minimum Housing and Health Standards which states that: All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of at least 22 degrees Celsius (71 degrees F), or maintained at a temperature of at least 22 degrees Celsius (71 degrees F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
- e. The openable area in the bedroom window measured approximately 21 inches high and 16 inches wide, which is too small for emergency egress requirements. 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 m² (3.8ft²), with no dimension less than 380 mm (15").
- f. There were numerous electrical wires, including multiple extension cords, that were haphazardly hanging throughout the kitchen. 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. There were electrical wires hanging from the kitchen ceiling. 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.
- h. There was no smoke alarm installed in the suite. This is a 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.
- i. There were missing electrical outlets and light switch covers throughout the 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.
- j. The front exterior railing was missing spindles along the railing, exposing a gap larger than 4 inches. 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.
- k. Water staining was observed on the ceiling near the kitchen area. This is a contravention of section III of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition.
- l. Baseboards were missing throughout the suite. 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.
- m. The wall surrounding the bathroom vanity was unfinished. 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.
- n. There was no proper siding installed around the exterior of the suite. This is a contravention of section III(2)(a) of the Minimum Housing and Health Standards which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- o. The storage units under the kitchen counter were made of porous raw wood and improperly finished. This is a 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.

- p. There was no stove or method to cook food available in the kitchen. This is a contravention of section IV(14)(a)(iv) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C.

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 December 31, 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. Provide an approved plumbed in and consistent source of hot and cold potable running water to the suite.
 - b. Ensure the toilet operates properly and connect the suite to an approved sewage disposal system. Properly dispose of all human waste being stored in buckets at the site.
 - c. Ensure proper heating facilities are installed and can maintain the suite at a minimum temperature of 22 degrees Celsius.
 - d. Replace the bedroom window so it meets the requirements of section III3(b)(ii) of the Minimum Housing and Health Standards.
 - e. Hire a certified electrician to assess and correct all the electrical deficiencies within the suite including but not limited to: ensuring electrical wires throughout the suite are not openly exposed, ensuring all fixtures are working properly, and ensuring covers are installed over the outlets/ switches. The work must be compliant to Building Code requirements and may require an assessment by a Safety Codes Officer.
 - f. Install a fully operational smoke alarm near the bedroom.
 - g. Install spindles or block the gap along the railing and ensure the work meets Building Code requirements.
 - h. Determine the source of water causing the staining on the ceiling in the kitchen and properly repair. Then, refinish the water-stained surface.
 - i. Install baseboards throughout the suite.
 - j. Apply a proper finish around the walls of the bathroom vanity so the surface is made smooth, non-absorbent to moisture, and easy to clean.
 - k. Install proper siding around the exterior of the suite to keep the home weatherproof.
 - l. Apply proper finishes under the kitchen counter so the surface is made smooth, non-absorbent to moisture, and easy to clean.
 - m. After consultation, permits, and approval from the City of Calgary, install a fully operational stove.
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 Calgary, Alberta, Dec 19, 2024.

Confirmation of a verbal order issued to Ankar Johal and Cindy Schofield on Dec 18, 2024.

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, 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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Copy City of Calgary Safety Codes, Calgary Police Services

Calgary • Southport • Environmental Public Health

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