

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

To: Rattan Singh
"the Owner"

And To: Manjit Kaur
"the Owner"

And To: Bickramjeet Singh with AM PM Properties
"the Property Manager"

And To: All Occupant(s) of the following Housing premises: 4820 80 Avenue NE

RE: Those housing premises located in Calgary, Alberta and municipally described as:
4820 80 Avenue NE

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 extensive mould contamination throughout the home. In the main floor half bathroom, layered mould growth was observed on the ceiling measuring approximately 3.5 square feet in area. In the master bedroom, mould was observed between the wall and ceiling joint. In the basement, the hallway walls had layered mould growth measuring approximately 10 square ft in total area. In the basement bedroom, mould measured 2 ft up the wall and in the closet. In the utility room, extensive mould growth was observed on the lower portion of the walls, with mould observed up to 6 ft high behind the furnace. Many of the walls were water saturated and a moisture meter measurement of > 800 REL was obtained.
- b. The basement ceiling near the utility room had collapsed due to water damage. A section of the building material was actively dripping water, and there was a large hole in the ceiling where insulation was exposed.
- c. The window in the main floor master bedroom was not able to open as the window was sealed around the perimeter and did not have an opening mechanism.
- d. The kitchen window lock was not effective, and the window was unable to be secured from unauthorized entry.
- e. The window lock for the first main floor bedroom was not effective, and the window was unable to be secured from unauthorized entry.
- f. The window lock for the second main floor bedroom was not effective, and the window was unable to be secured from unauthorized entry.
- g. The hot water temperature measured up to 86 degrees Celsius.

- h. The basement hallway walls were badly warped and distorted due to water damage.
- i. The ceiling in the hallway outside the basement bathroom was water stained, mouldy, and bowing.
- j. Portions of the wooden floor and ceiling joists/ beams in the utility room were badly water damaged, and some sections are rotting.
- k. Stagnant water was observed to be pooling in the basement utility room.
- l. The hot water tank was leaking water.
- m. The furnace was leaking water.
- n. The plumbing lines under the sink in the main floor bathroom was leaking water. Water had pooled on the base panel and the floor in the bathroom.
- o. The flooring throughout the kitchen was lifting.
- p. The caulking installed between the kitchen counter and backsplash wall was mouldy and missing sections.
- q. The kitchen cabinet base material under the kitchen sink was badly water damaged and the entire base was mouldy.
- r. The control knob for the outer left stove top was missing.
- s. The entire two compartment sink basin was not properly secured to the kitchen counter, and a 1-inch gap was exposed between the underside of the counter and the sink.
- t. The light in the fridge was not operational.
- u. The baseboard heat covers were not properly secured in the main floor bathroom, and the sharp heating elements and fins were exposed.
- v. There was no transition strip installed between the main floor bathroom and hallway flooring.
- w. The joint between the main floor half bathroom counter and surrounding backsplash wall was not properly sealed.
- x. The insect screen installed for the openable window in the second main floor bedroom was no longer properly attached to the window frame.
- y. There was no insect screen installed for the openable window in the first main floor bedroom.
- z. The utility room door and door trim were bubbling and bulging due to water damage.
- aa. The wall behind the basement toilet was bubbling due to water damage and baseboards were missing.
- bb. Electrical wires were exposed in an open electrical box in the wall of the basement bathroom.
- cc. An electrical outlet cover was missing from the wall in the basement bedroom.
- dd. Ceiling tiles were missing in the basement bedroom.
- ee. There was a large hole in the wall near the baseboard heaters in the basement bedroom.

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. There was extensive mould contamination throughout the home. In the main floor half bathroom, layered mould growth was observed on the ceiling measuring approximately 3.5 square feet in area. In the master bedroom, mould was observed between the wall and ceiling joint. In the basement, the hallway walls had layered mould growth measuring approximately 10 square ft in total area. In the basement bedroom, mould measured 2 ft

up the wall and in the closet. In the utility room, extensive mould growth was observed on the lower portion of the walls, with mould observed up to 6 ft high behind the furnace. Many of the walls were water saturated and a moisture meter measurement of > 800 REL was obtained. This is a contravention of section 5(2) of the Public Health Act Housing Regulation, 1999 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.

- b. The basement ceiling near the utility room had collapsed due to water damage. A section of the building material was actively dripping water, and there was a large hole in the ceiling where insulation was exposed. This is a 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.
- c. The window in the main floor master bedroom was not able to open as the window was sealed around the perimeter and did not have an opening mechanism. This is a contravention of section III(3)(b)(i) 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.
- d. The kitchen window lock was not effective, and the window was unable to be secured from unauthorized entry. 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.
- e. The window lock for the first main floor bedroom was not effective, and the window was unable to be secured from unauthorized entry. 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.
- f. The window lock for the second main floor bedroom was not effective, and the window was unable to be secured from unauthorized entry. 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.
- g. The hot water temperature measured up to 86 degrees Celsius. This is a 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 degrees C (1140F), and not more than 60 degrees C (1400F) measured at the plumbing fixture.
- h. The basement hallway walls were badly warped and distorted due to water damage. 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. The ceiling in the hallway outside the basement bathroom was water stained, mouldy, and bowing. 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. Portions of the wooden floor and ceiling joists/ beams in the utility room were badly water damaged, and some sections are rotting. This is 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.
- k. Stagnant water was observed to be pooling in the basement utility room. This is a contravention of section III(1)(b) of the Minimum Housing and Health Standards which states that: basements, cellars or crawl spaces shall be structurally sound, and maintained in good repair and free from water infiltration and accumulation.
- l. The hot water tank was leaking water. This is a contravention of section IV(6)(c) of the Minimum Housing and Health Standards which states that: All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- m. The furnace was leaking water. 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 220C(710F), or maintained at a temperature of at least 220C(710F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
- n. The plumbing lines under the sink in the main floor bathroom was leaking water. Water had pooled on the base panel and the floor in the bathroom. This is a contravention of section IV(6)(c) of the Minimum Housing and Health Standards which states that: All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- o. The flooring throughout the kitchen was lifting. 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. The caulking installed between the kitchen counter and backsplash wall was mouldy and missing sections. 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.

- q. The kitchen cabinet base material under the kitchen sink was badly water damaged and the entire base was mouldy. This is a 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. 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.
- r. The control knob for the outer left stove top was missing. 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.
- s. The entire two compartment sink basin was not properly secured to the kitchen counter, and a 1-inch gap was exposed between the underside of the counter and the sink. This is a contravention of 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.
- t. The light in the fridge was not operational. 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.
- u. The baseboard heat covers were not properly secured in the main floor bathroom, and the sharp heating elements and fins were exposed. 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.
- v. There was no transition strip installed between the main floor bathroom and hallway flooring. 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.
- w. The joint between the main floor half bathroom counter and surrounding backsplash wall was not properly sealed. 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.
- x. The insect screen installed for the openable window in the second main floor bedroom was no longer properly attached to the window frame. 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.

- y. There was no insect screen installed for the openable window in the first main floor 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.
- z. The utility room door and door trim were bubbling and bulging due to water damage. This is 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.
- aa. The wall behind the basement toilet was bubbling due to water damage and baseboards were missing. This is 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. This is also 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.
- bb. Electrical wires were exposed in an open electrical box in the wall of the basement bathroom. 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.
- cc. An electrical outlet cover was missing from the wall in the basement bedroom. 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.
- dd. Ceiling tiles were missing in the basement bedroom. 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.
- ee. There was a large hole in the wall near the baseboard heaters in the basement bedroom. 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.

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 April 30, 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. Retain the services of an Environmental Health or Indoor Air Quality Consultant to:
 - (i) assess the conditions within the above noted premises including the carrying out of environmental air quality analyses of the interior spaces (including the attic, wall and floor cavities, and crawlspaces) for water and mould damage; and
 - (ii) prepare for review by Alberta Health Services a detailed assessment report and scope of work plan.Testing and reporting shall follow the requirements outlined in Alberta Health Services' Fungal Air Testing Protocol outlined in the AHS document "Fungal Air Testing, Investigation and Reporting Requirements for Extensively Mould Contaminated Buildings" and must include extensive intrusive and destructive testing and shall include inspection and assessment of hidden cavities and surfaces such as, but not limited to, cutting access holes (or using a borescope) into walls and ceilings, lifting carpets or vinyl sheet flooring, removing wallpaper for investigation purposes. The consultant's report shall, at a minimum, describe the building construction, finishes, materials and components and the results of their investigations along with recommendations for restoration, repair, and the remediation as required for reoccupation of the unit.
 - b. Retain the services of a qualified contractor trained in mould remediation to remove and replace or clean, as required, any and all drywall, building materials, and finishing materials, or any other item that is or may be water damaged, infested with or damaged by mould or bacteria or otherwise contaminated. All paneling, drywall, vapour barrier and insulation throughout the entire basement, including ceilings and rim board areas, shall be removed and disposed of. All wood framing throughout the basement shall be assessed and disposed of if it cannot be adequately cleaned. All concrete basement walls and floors shall then be thoroughly washed with detergent and water and quickly dried. The concrete basement floor shall not be covered or painted until after remediation and air sampling is complete and has been accepted by an Alberta Health Services Public Health Inspector.
 - c. Retain the services of a licensed furnace technician to inspect, clean and disinfect the HVAC supply air ducts, floor vents, return air plenums and the furnace within the premises. This required cleaning shall take place as a final step after the completion of all remediation work but before final air sampling.
 - d. Determine the source of water causing the basement ceiling to collapse and properly repair. Then, remediate the damaged area as per order requirements noted in a and b above.

- e. Determine the source allowing for water accumulation in the basement utility room and properly repair. Then, remediate the damaged area as per order requirements noted in a and b above.
 - f. Install an openable window in the main floor master bedroom that meets section 3B of the Minimum Housing and Health Standards.
 - g. Install an effective window lock for the kitchen window.
 - h. Install an effective window lock for the first main floor bedroom window.
 - i. Install an effective window lock for the second main floor bedroom window.
 - j. Decrease the maximum hot water temperature in the home so it measures between 46 – 60 degrees Celsius.
 - k. Repair or replace the hot water tank so it is no longer leaking water.
 - l. Repair or replace the furnace so it is no longer leaking water.
 - m. Repair or replace the plumbing lines under the sink in the main floor bathroom so it is no longer leaking water. Remove the water damaged cabinet base panel and replace with all new materials.
 - n. Repair or replace the flooring in the kitchen so it is made smooth, non-absorbent to moisture, and easily cleanable.
 - o. Remove all mouldy caulking and re-seal the joint between the kitchen counter and backsplash wall.
 - p. Remove the mouldy and water damaged kitchen cabinet base material under the kitchen sink and replace with all new materials.
 - q. Install a control knob for the outer left stove top.
 - r. Secure the two-compartment sink basin to the kitchen counter watertight joints formed.
 - s. Repair or replace the light in the fridge so it is operational.
 - t. Secure the baseboard heat covers back to the baseboard heater.
 - u. Install a transition strip between the main floor bathroom and hallway flooring.
 - v. Seal the joint between the main floor half bathroom counter and surrounding backsplash wall.
 - w. Reattach the insect screen to the window frame and ensure the screen is effective.
 - x. Install a tight-fitting insect screen for the window in the first main floor bedroom.
 - y. Remove the water damaged door and door trim near the basement utility room and replace with all new materials.
 - z. Remove the water damaged building materials behind the basement toilet and replace with all new materials. Then, install baseboards and ensure a watertight joint is formed with the floor.
 - aa. Install a proper cover for the open electrical box in the wall of the basement bathroom.
 - bb. Install a proper electrical outlet cover for the exposed outlet on the wall in the basement bedroom.
 - cc. Install missing ceiling tiles in the basement bedroom.
 - dd. Patch the hole in the wall near the baseboard heaters in the basement bedroom. Apply a proper finish so the surface is made smooth, non-absorbent to moisture, and easily cleanable.
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, April 5, 2024

Confirmation of a verbal order issued to Bickramjeet Singh and Shan Bajwa on March 28, 2024.
Confirmation of a verbal order issued to Rattan Singh and Raj Bajwa on April 2, 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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