

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

To: Jaykay Properties Inc.
Mengyao Dong
"the Owners"

Henry Han
"the Property Manager"

And To: All Occupant(s) of the following Housing premises:

RE: Those housing premises located in Wetaskiwin, Alberta and municipally described as:
#4 – 4501 47 Street

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, in contravention of the Public Health Act, the Housing Regulation Alberta Regulation 173/99, and the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 namely:

- a. The dwelling is flooded with sewage and sewage effluent due to a backup into the unit's washroom and other affected drains.
- b. The unit's sewage drainage system is not operating as intended and is resulting in the backup of sewage and effluent into the bathtub, toilet, and sinks.
- c. The laminate wood flooring has become saturated with sewage effluent and has begun to swell and separate.
- d. The north facing bedroom window was measured to have a maximum openable area of 15 inches X 27 inches.
- e. Lack of smoke alarms within the unit at the time of the inspection.
- f. The interior doorknob of the unit's front door is not attached to the door, impeding the ability to open/close the door from the inside.
- g. A leak under the kitchen sink basin at the 180-degree elbow was noted during the inspection.
- h. Sections of the installed drywall and base boards throughout the dwelling have absorbed sewage effluent and have become damaged.
- i. The washroom sink and toilet could not be used by the tenants at the time of the inspection due to the sewage system deficiencies.
- j. The bathtub was filled with sewage and sewage effluent at the time of the inspection and could not be used by the tenants due to the sewage system failure.

AND WHEREAS such inspection disclosed that the following breaches of the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. The dwelling is flooded with sewage and sewage effluent due to a backup into the unit's washroom and other affected drains. This contravenes section 5(2) of the Housing Regulation, AR 173/99 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 unit's sewage drainage system is not operating as intended and is resulting in the backup of sewage and effluent into the bathtub, toilet, and sinks. This contravenes section 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, pump out sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition."
- c. The laminate wood flooring has become saturated with sewage effluent and has begun to swell and separate. This contravenes section 5 of the Minimum Housing and Health Standards, which states that: "All 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."
- d. The north facing bedroom window was measured to have a maximum openable area of 15 inches X 27 inches. This contravenes section 3(b)(ii) of the Minimum Housing and Health Standards, which states that: "Windows shall provide unobstructed openings with areas not less than 0.35 square metres (3.8 sq. ft.) with no dimension less than 380 mm (15 inches)."
- e. Lack of smoke alarms within the unit at the time of the inspection. This contravenes section 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."
- f. The interior doorknob of the unit's front door is not attached to the door, impeding the ability to open/close the door from the inside. This contravenes section 5(2) of the Housing Regulation, AR 173/99 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."
- g. A leak under the kitchen sink basin at the 180-degree elbow was noted during the inspection. This contravenes section 6(a & c) 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, pump out sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition; and that all plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside."
- h. Sections of the installed drywall and base boards throughout the dwelling have absorbed sewage effluent and have become damaged. This contravenes section 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 washroom sink and toilet could not be used by the tenants at the time of the inspection due to the sewage system deficiencies. This contravenes section 6(c) and section 7 of the

Minimum Housing and Health Standards, which state that: “Every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower that shall be serviceable, free from leaks, trapped and vented to the outside.”

- j. The bathtub was filled with sewage and sewage effluent at the time of the inspection and could not be used by the tenants due to the sewage system failure. This contravenes section 6(c) and section 7 of the Minimum Housing and Health Standards, which state that: “Every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower that shall be serviceable, free from leaks, trapped and vented to the outside.”

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 Owner(s) takes all steps necessary to ensure all Occupants vacate the above noted premises on or before October 17, 2025.
2. That the Owner(s) immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remediate the sewage system deficiencies and ensure that the system is functioning as intended and is no longer backing up into the premises.
 - b. Hire and retain a remediation company to clean up the flooded unit of all sewage/effluent and remove and/or clean all contaminated materials, fixtures, and items as necessary.
 - c. Ensure that the north facing room is not utilized as a bedroom until a window of adequate openable area has been installed in the room.
 - d. Service and repair all plumbing fixtures and drains to ensure that they are serviceable and free from leaks.
 - e. Ensure that operable smoke alarms are installed within the unit between sleeping areas and the remainder of the suite.
 - f. Repair or replace the detached front door doorknob to allow for unimpeded opening/closing of the door.
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 Wetaskiwin, Alberta, October 20, 2025

Confirmation of a verbal order issued to Henry Han on October 20, 2025.

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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