

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

To: Deo Jaipaul
Shantie Jaipaul
“the Owners”

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

RE: Those housing premises located in Ponoka, Alberta and municipally described as:
5412 54 Street – Unit B

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. The electrical outlet in the kitchen and in the upstairs hallway do not operate unless the electrical cord is held while in the outlet and there are exposed electrical conductors visible at the property's exterior.
- b. Pot lights in the basement do not remain illuminated and light bulbs are not equipped with a fixture/cover.
- c. In the basement, numerous drop ceiling tiles are damaged.
- d. In the basement, there are several areas of the ceiling that are not covered, exposing unfinished wood and inner utility components (such as plumbing and electrical lines). The basement is otherwise finished in terms of construction.
- e. Various areas of the walls and trim are damaged and not smooth, including the laundry room.
- f. In the basement bathroom, the panel that forms the shower walls is separating from the drywall, and the shower walls do not form watertight joints with each other due to deterioration of the waterproof sealant.
- g. Tile flooring has various cracks, gaps and missing pieces of tile, and there is missing finished flooring in the pantry and linen closets.
- h. Floor transition pieces are missing, leaving gaps and difficulty to clean.
- i. Flooring in the upstairs and basement bathrooms do not form watertight joints with walls and the bathtub, and the flooring in front of the basement bathroom vanity is visibly damaged, leaving a long gap that is not smooth, easy to clean, or watertight.
- j. The kitchen stove is missing two of the four control dials for the burners and has only one burner operational.
- k. The edge of the counter near the stove and in the basement bathroom is exposed.
- l. The cupboard under the kitchen sink has signs of water damage and is not maintained in a condition that is smooth or easy to clean.

- m. Reports from Atco service technician state that gas is leaking from the top of the furnace control valve and advise having a technician make the necessary repairs as soon as possible.
- n. Mold-like growth identified around window frames and, in the wall, granting access to the basement bathtub waterlines.
- o. The upstairs bedrooms are equipped with awning-style windows that swing open on the horizontal axis away from the user. The openable area measured was 13in X 33in = 2.97 sq ft.
- p. The basement bedrooms are equipped with hopper-style windows that are intended to be folded down, inwards towards the user. The window in one of the bedrooms is secured to the frame with screws and requires a screwdriver to manually remove each screw. The openable area was measured was 29in X 18in = 3.6 sq ft.
- q. The stairs leading to the basement are not equipped with a handrail.
- r. There is no smoke alarm available in the basement hallway serving bedrooms, and the smoke alarm installed for the upstairs hallway serving bedrooms is not operational.
- s. The exterior doors do not have adequate seals/weatherstripping. Exterior light is visible around the perimeter of the door when the door is closed tightly.
- t. Exterior doors are visibly damaged and are not weatherproof.
- u. Exterior windows are not weatherproof, with damage around the frame and gaps in the seal.
- v. The upstairs exterior windows that open for ventilation are not equipped with insect screens.

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. The electrical outlet in the kitchen and in the upstairs hallway do not operate unless the electrical cord is held while in the outlet and there are exposed electrical conductors visible at the property's exterior. This condition is contrary to Section 11 of the Minimum Housing and Health Standards which states: "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."
- b. Pot lights in the basement do not remain illuminated and light bulbs are not equipped with a fixture/cover. This condition is contrary to Section 11 of the Minimum Housing and Health Standards which states: "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."
- c. In the basement, numerous drop ceiling tiles are damaged. This condition is contrary to Section 5 of the Minimum Housing and Health Standards which states: "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."
- d. In the basement, there are several areas of the ceiling that are not covered, exposing unfinished wood and inner utility components (such as plumbing and electrical lines). The basement is otherwise finished in terms of construction. This condition is contrary to Section 5 of the Minimum Housing and Health Standards which states: "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." This condition is also contrary to Section 1(b) of the Minimum Housing and Health

Standards which states: “Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.”

- e. Various areas of the walls and trim are damaged and not smooth, including the laundry room. This condition is contrary to Section 5 of the Minimum Housing and Health Standards which states: “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.”
- f. In the basement bathroom, the panel that forms the shower walls is separating from the drywall, and the shower walls do not form watertight joints with each other due to deterioration of the waterproof sealant. This condition is contrary to Section 5(a) of the Minimum Housing and Health Standards which states: “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. Tile flooring has various cracks, gaps and missing pieces of tile, and there is missing finished flooring in the pantry and linen closets. This condition is contrary to Section 5 of the Minimum Housing and Health Standards which states: “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. Floor transition pieces are missing, leaving gaps and difficulty to clean. This condition is contrary to Section 5 of the Minimum Housing and Health Standards which states: “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.”
- i. Flooring in the upstairs and basement bathrooms do not form watertight joints with walls and the bathtub, and the flooring in front of the basement bathroom vanity is visibly damaged, leaving a long gap that is not smooth, easy to clean, or watertight. This condition is contrary to Section 5(a) of the Minimum Housing and Health Standards which states: “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.”
- j. The kitchen stove is missing two of the four control dials for the burners and has only one burner operational. This condition is contrary to Section 14(a)(iv) of the Minimum Housing and Health Standards which states: “Every housing premises shall be provided with a food preparation area, which includes: (iv) 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. (40°F).”
- k. The edge of the counter near the stove and in the basement bathroom is exposed. The exposed wood is unfinished. This condition is contrary to Section 1(c) of the Minimum Housing and Health Standards which states: “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
- l. The cupboard under the kitchen sink has signs of water damage and is not maintained in a condition that is smooth or easy to clean. This condition is contrary to Section 14(a)(ii) of the Minimum Housing and Health Standards which states: “Every housing premises shall be provided with a food preparation area, which includes: (ii) cupboards or other facilities suitable for the storage of food.”

- m. Reports from Atco service technician state that gas is leaking from the top of the furnace control valve and advise having a technician make the necessary repairs as soon as possible. This condition is contrary to Section 8(a) of the Minimum Housing and Health Standards which states: “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.”
- n. Mold-like growth identified around window frames and, in the wall, granting access to the basement bathtub waterlines. This condition is contrary to Section 5(2) of the Housing Regulation (AR 173/99) which states: “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.”
- o. The upstairs bedrooms are equipped with awning-style windows that swing open on the horizontal axis away from the user. The openable area measured was 13in X 33in = 2.97 sq ft. This condition is contrary to Section 3(b)(ii) of the Minimum Housing and Health Standards which states: “Windows referred to in section 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”).”
- p. The basement bedrooms are equipped with hopper-style windows that are intended to be folded down, inwards towards the user. The window in one of the bedrooms is secured to the frame with screws and requires a screwdriver to manually remove each screw. The openable area was measured was 29in X 18in = 3.6 sq ft. This condition is contrary to Section 3(b)(i) and (ii) of the Minimum Housing and Health Standards which state: “(i) 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. (ii) Windows referred to in section 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”).”
- q. The stairs leading to the basement are not equipped with a handrail. This condition is contrary to Section 3(c)(i) of the Minimum Housing and Health Standards which states: “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.”
- r. There is no smoke alarm available in the basement hallway serving bedrooms, and the smoke alarm installed for the upstairs hallway serving bedrooms is not operational. This condition is contrary to Section 12 of the Minimum Housing and Health Standards which states: “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.” This condition is also contrary to Section 12(a) of the Minimum Housing and Health Standards which states: “Smoke alarms shall be operational and in good repair at all times.”
- s. The exterior doors do not have adequate seals/weatherstripping. Exterior light is visible around the perimeter of the door when the door is closed tightly. This condition is contrary to Section 2(b)(i) of the Minimum Housing and Health Standards which states: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”

- t. Exterior doors are visibly damaged and are not weatherproof. This condition is contrary to Section 2(b)(i) of the Minimum Housing and Health Standards which states: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- u. Exterior windows are not weatherproof, with damage around the frame and gaps in the seal. This condition is contrary to Section 2(b)(i) of the Minimum Housing and Health Standards which states: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- v. The upstairs exterior windows that open for ventilation are not equipped with insect screens. This condition is contrary to Section 2(b)(iii) of the Minimum Housing and Health Standards which states: “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 June 15, 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. Ensure that electrical outlets, exposed electrical wiring and conductors are maintained in safe working condition. Consultation with a qualified professional, such as an electrician or a Safety Codes Officer, is required.
 - b. Ensure that lights are equipped with fixtures, and that electrical fixtures are in safe working order. Consultation with a qualified professional, such as an electrician or a Safety Codes Officer, is required.
 - c. After removing the affected materials, identify the source of the water infiltration and remediate it. Once water damaged surface material is removed, schedule inspection with an Executive Officer to assess the extent of the water damage behind material surfaces (i.e. in the walls, ceilings, floors). Remove/replace/repair any water damaged and/or moldy material below the material surfaces.
 - d. Ensure that ceilings are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders them easy to clean.
 - e. Ensure that all walls, including wall trim pieces, are maintained in good repair and in a condition that renders them easy to clean (smooth, durable, non-absorbent).
 - f. Ensure that all walls, floors, and ceilings in bathrooms are maintained in good repair, form watertight joints with each other, the floor, the ceiling and where applicable with the bathtub or shower, and are in a condition that renders them easy to clean (smooth, durable, non-absorbent).
 - g. Ensure that all floors and floor coverings, including in closets, are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
 - h. Ensure that all floors and floor coverings, including where flooring types change, are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.

- i. Ensure that bathrooms 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.
 - j. Ensure that the stove and all of its components are maintained in good working condition.
 - k. Ensure that the kitchen and bathroom counters are maintained in good repair and are easy to clean (smooth, durable, non-absorbent).
 - l. Ensure that kitchen cupboards are maintained in a state of good repair and are easy to clean. Remove/replace/repair damaged materials.
 - m. Ensure that the furnace system is maintained in safe operating condition by having the necessary repairs performed by a qualified professional and providing a copy of the report issued by this professional to the Executive Officer.
 - n. Ensure that the dwelling is free from all mold-like growth. Remove and/or remediate affected materials and resolve sources of moisture from affected areas.
 - o. Ensure that each bedroom has at least one outside window for emergency egress that provides unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
 - p. Ensure that each bedroom has at least one outside window which may be opened from the inside without the use of tools or special knowledge, and provides unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
 - q. Ensure that stairs are provided with railings that are in good repair and meet the requirements of the Alberta Building Code or a Professional Engineer design.
 - r. Ensure that hallways serving bedrooms are equipped with smoke alarms that are operational at all times.
 - s. Ensure that exterior doors are maintained in good repair and form a weatherproof seal when closed.
 - t. Ensure that exterior doors are maintained in good repair, free of cracks and weatherproof.
 - u. Ensure that exterior windows are maintained in good repair, free of cracks and weatherproof.
 - v. Ensure that every window or other device intended for ventilation is supplied with effective screens.
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.

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 Ponoka, Alberta, May 16, 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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