

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

To: 152335 Alberta Ltd Rohit Dhawan
"the Owner" "the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
Suite 104, 10414 77 Avenue NW

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 an extensive amount of animal waste and grime on every surface throughout the suite including: on the suite's floors; on the kitchen counters and kitchen stove; on the bathroom counter and toilet lid & tank lid; and there was approximately 2 inches of fecal matter covering the bathroom floor with no flooring visible.
- b. The bathroom sink and bathtub were full of animal waste and/or potentially a sewage backup.
- c. There was an overwhelming ammonia odour in the suite. Peace Officers with the City of Edmonton Animal Protection Unit measured the ammonia levels within the suite at approximately 45 ppm.
- d. Various finishes were in disrepair throughout the suite due to contamination of animal waste and cat scratches.
- e. The stove burner coils were missing.

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 an extensive amount of animal waste and grime on every surface throughout the suite including: on the suite's floors; on the kitchen counters and kitchen stove; on the bathroom counter and toilet lid & tank lid; and there was approximately 2 inches of fecal matter covering the bathroom floor with no flooring visible. This is in contravention of section 5(2) of the Housing Regulation (A/R 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 bathroom sink and bathtub were full of animal waste and/or potentially a sewage backup. This is in contravention of 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, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.”
- c. There was an overwhelming ammonia odour in the suite. Peace Officers with the City of Edmonton Animal Protection Unit measured the ammonia levels within the suite at approximately 45 ppm. This is in contravention of section 5(2) of the Housing Regulation (A/R 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.”
- d. Various finishes were in disrepair throughout the suite due to contamination of animal waste and cat scratches. This is in contravention of Section 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.”
- e. The stove burner coils were missing. This is in contravention of Section 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: ... (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 degrees F).”

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 immediately.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Hire a qualified cleaning contractor, trained in biohazard remediation/waste removal to thoroughly clean and remove animal waste and grime buildup. Disinfect and deodorize the affected areas of the unit. **Provide the name of the contractor, as well as the scope of work and timeline to the AHS Environmental Public Health office.** The decontamination and cleaning must be conducted under the instruction and guidance of the above-mentioned qualified contractor.
 - b. Ensure that the suite’s plumbing system is in proper working order, including the bathroom sink and bathtub.
 - c. Remove and replace any porous building materials that have been contaminated by animal waste, such as cabinets, floor covering, lower walls. Ensure all damaged finishes have been replaced and are in good repair.
 - d. Ensure that the suite is equipped with a properly 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 Edmonton, Alberta, July 30, 2024

Confirmation of a verbal order issued to Rohit Dhawan on July 29, 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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RE: The premises located in Edmonton, Alberta and municipally described as: Suite 104, 10414 77 Avenue NW

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700, 10055 106 Street NW, Edmonton, Alberta, Canada T5J 2Y2

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