

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

To: Pavittar Khosa Sarbjit Khosa Ravi Rai
"the Owner" "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:
10501 150 Street NW Edmonton, Alberta T5P 1P9

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 window in the master bedroom (NE bedroom) did not meet egress requirements. The window was unable to remain in an open position and there were security bars bolted to the outside of the window that could not be removed without the use of tools or special knowledge.
- b. The window in the NW bedroom could not be opened. Furthermore, security bars were bolted to the outside of the window that could not be opened without the use of tools or special knowledge.
- c. The downstairs bedroom windows (3 bedrooms present within the basement) were painted shut. Furthermore, the windows within these spaces were small and could not provide an openable area of 3.8 feet squared (with no dimension less than 15 inches).
- d. The upstairs smoke alarm was not in operation at the time of inspection.
- e. The window in the master bedroom (NE bedroom) did not have a working lock present.
- f. There was mold present along the walls in the basement bedroom closet and basement bathroom.
- g. There were open electrical boxes and open junction boxes present in the following locations: the wall behind the television, along the light fixture in the kitchen, and the wall in the master bedroom (NE bedroom).
- h. The caulking behind the kitchen sink was worn.
- i. The plumbing system within the home was not maintained in proper operating condition. The plumbing system was in disrepair in the following ways: the pipe below the right-hand side of the kitchen sink was leaking, the water shut-off valve (located behind the upstairs toilet) was in disrepair, the back plate was missing from the basement shower faucet, the handles of the basement shower faucet were leaking, and the basement bathroom sink faucet was leaking.
- j. There was evidence of water infiltration within the basement bedroom closet. The building materials surrounding the window were water damaged.

- k. There was no ventilation provided to the basement bathroom (i.e. there was no mechanical ventilation fan present or openable window).
- l. The window in the master bedroom (NE bedroom) did not form a tight seal with the frame (and as a result, was not weatherproof).

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 window in the master bedroom (NE bedroom) did not meet egress requirements. The window was unable to remain in an open position and there were security bars bolted to the outside of the window that could not be removed without the use of tools or special knowledge. This is in contravention of Section 3(b) 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. (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”). (iii) If the window referred in section 3(b)(i) is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge.”*
- b. The window in the NW bedroom could not be opened. Furthermore, security bars were bolted to the outside of the window that could not be opened without the use of tools or special knowledge. This is in contravention of Section 3(b) 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. (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”). (iii) If the window referred in section 3(b)(i) is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge.”*
- c. The downstairs bedroom windows (3 bedrooms present within the basement) were painted shut. Furthermore, the windows within these spaces were small and could not provide an openable area of 3.8 feet squared (with no dimension less than 15 inches). This is in contravention of Section 3(b) 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. (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”). (iii) If the window referred in section 3(b)(i) is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge.”*
- d. The upstairs smoke alarm was not in operation at the time of inspection. This is in contravention of 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. (a) Smoke alarms shall be operational and in good repair at all times.”

- e. The window in the master bedroom (NE bedroom) did not have a working lock present. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards, which states that *“Exterior windows and doors shall be capable of being secured.”*
- f. There was mold present along the walls in the basement bedroom closet and basement bathroom. This is in contravention of Section 5(2) of the Alberta 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. There were open electrical boxes and open junction boxes present in the following locations: the wall behind the television, along the light fixture in the kitchen, and the wall in the master bedroom (NE bedroom). This is in contravention of Section 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. The caulking behind the kitchen sink was worn. This is in contravention of Section 14(a)(iii) of the Minimum Housing and Health Standards, which states that *“a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned;”*
- i. The plumbing system within the home was not maintained in proper operating condition. The plumbing system was in disrepair in the following ways: the pipe below the right-hand side of the kitchen sink was leaking, the water shut-off valve (located behind the upstairs toilet) was in disrepair, the back plate was missing from the basement shower faucet, the handles of the basement shower faucet were leaking, and the basement bathroom sink faucet was leaking. This is in contravention of Section 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. (a) 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. (b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”*
- j. There was evidence of water infiltration within the basement bedroom closet. The building materials surrounding the window were water damaged. This is in contravention of Sections 1(b) and 1(c) of the Minimum Housing and Health Standards, which state that *“Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.”*, and furthermore that, *“Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”*
- k. There was no ventilation provided to the basement bathroom (i.e. there was no mechanical ventilation fan present or openable window). This is in contravention of Section 7(c) of the Minimum Housing and Health Standards, which states that *“All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.”*
- l. The window in the master bedroom (NE bedroom) did not form a tight seal with the frame (and as a result, was not weatherproof). This is in contravention of Section 2(b)(i) of the

Minimum Housing and Health Standards, which states that “*All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.*”

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 May 29, 2023.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remove the security bars from the upstairs master bedroom (NE bedroom) and upstairs NW bedroom. Any security bars installed on egress windows must be capable of being removed without the use of tools or special knowledge.
 - b. Modify the upstairs master bedroom window (NE bedroom) to ensure it is capable of providing an opening of at least 3.8 feet squared (with no dimension less than 15 inches). Furthermore, the window must be capable of remaining in an open position during egress.
 - c. Repair/modify the upstairs NW bedroom window to ensure it is capable of sliding into an open position to provide an egress opening of at least 3.8 feet squared (with no dimension less than 15 inches).
 - d. Modify the basement bedroom windows to ensure the windows are: capable of being opened, capable of being maintained in an open position, and provide an egress path of 3.8 feet squared (with no dimension less than 15 inches).
 - e. Install a working smoke alarm between each sleeping space and the remainder of the suite (Note: a single smoke alarm may service multiple bedrooms if the bedrooms are located adjacent to one another). Ensure the smoke alarms are maintained in proper, operating condition.
 - f. Install a working lock on the window in the upstairs master bedroom (NE bedroom).
 - g. Remove the mold from the walls in the basement bedroom closet and bathroom. The following website may provide useful information regarding safely cleaning and removing mold: <https://myhealth.alberta.ca/Alberta/Pages/mouldy-homes-buildings-managing-indoor-mould.aspx>.
 - h. Replace the caulking behind the kitchen sink.
 - i. Install a form of ventilation to the basement bathroom (i.e. a mechanical ventilation fan or openable window).
 - j. Repair the plumbing system, including: repair the leaking pipe below the kitchen sink, replace the water shut-off valve behind the upstairs toilet, replace the missing backplate from the downstairs shower, repair the leaking shower and sink faucets in the basement bathroom.
 - k. Investigate the source of water infiltration into the basement bedroom closet. Conduct any repairs to prevent future infiltration of water into this space. Remove any damaged building materials along the wall/window in this space and replace with new materials.
 - l. Repair the window in the master bedroom (NE bedroom) to ensure it forms a tight, weatherproof seal with the frame.

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 Edmonton, Alberta, April 24, 2023

Confirmation of a verbal order issued to Ravi Rai on April 24, 2023.

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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www.albertahealthservices.ca/eph.asp