

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

To: Vuong Van Tai Holding INC. Van Vuong
"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:
204 – 10603 107 Avenue NW Edmonton, AB T5H 0W5

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. A bedroom door was damaged and had portions of unfinished material.
- b. The front door lock was loose and is difficult to open.
- c. The smoke alarm was missing from the suite.
- d. There was a large hole in the bathtub basin which was repaired with a putty-type material and still leaked. The area of attempted repair was not smooth and easily cleanable.
- e. The exterior glass panel of the oven door had been replaced with plexiglass that was screwed in place, which may not be suitable for high heat. The plexiglass was cracked.
- f. The laundry washer and dryer were not operational.
- g. There was a complaint of a cockroach infestation, which is present in other areas of the building.

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. A bedroom door was damaged and had portions of unfinished material. This is in contravention of 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."
- b. The front door lock was loose and is difficult to open. This is in contravention of Section 3 of the Minimum Housing and Health Standards, which states that "Exterior windows and doors shall be capable of being secured."
- c. The smoke alarm was missing from the suite. 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.”
- d. There was a large hole in the bathtub basin which was repaired with a putty-type material and still leaked. The area of attempted repair was not smooth and easily cleanable. This is in contravention of Section 7 of the Minimum Housing and Health Standards, which states that “Except where exempt by regulation, 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.”
 - e. The exterior glass panel of the oven door had been replaced with plexiglass that was screwed in place, which may not suitable for high heat and was cracked. This is in contravention of Section 14 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).”
 - f. The laundry washer and dryer were not properly operational. This is in contravention of 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. There was a complaint of a cockroach infestation, which is present in other areas of the building. This is a contravention of Section 16(a) of the Minimum Housing and Health Standards which states that “The owner shall ensure that the housing premises are free of insect and rodent infestations; and (i) all situations requiring the application of pesticides must be applied in accordance with the Environmental Protection and Enhancement Act and regulation; and (ii) whenever a pesticide is applied in a dwelling, the occupant shall be notified in accordance with the latest edition of the Environmental Code of Practice for Pesticides published by Alberta Environmental Protection. (iii) it is the occupants responsibility to allow access in accordance to the Residential Tenancy Act to do whatever is necessary to ensure the dwelling unit is ready for pesticide application.”

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 April 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. Repair/replace the damaged bedroom door.
 - b. Repair/replace the front door lock so that it is in proper working condition.
 - c. Install a smoke alarm in the suite. Ensure the smoke alarm installed is operational and in good repair at all times.
 - d. Replace the bathtub basin.

- e. Replace the oven door front or the stove/oven appliance so that the appliance is in proper working condition.
 - f. Ensure any laundry machines provided to a suite are in proper working condition.
 - g. Hire a licensed pest control operator to assess the presence of cockroaches in the suite and treat accordingly. *Provide copies of any pest records to this office.*
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, March 15, 2024.

Confirmation of a verbal order issued to Van Vuong on March 15, 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>

Edmonton • Environmental Public Health

Suite 700, 10055 – 106 Street NW, Edmonton, AB T5J2Y2

www.albertahealthservices.ca/eph.asp