

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

To: Noel R Quilala Rosario I Quilala Kim Quilala Ngo
"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:

Unit 4 – 10644 105 Street NW Edmonton, Alberta, T5H 2W9

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 a significant cockroach infestation present at the time of inspection.
- b. There was no working smoke alarm present within the unit to notify the tenants in the event of an emergency.
- c. There were security bars present along the windows in the sleeping spaces. The security bars appeared to be screwed in place and could not be removed without tools or special knowledge in the event of an emergency.
- d. The front door of the unit had to be broken by the locksmith to gain entry to the unit (at the direction of the owner). As a result, it was not possible to secure the unit.
- e. The ceiling materials and the baseboards behind the toilet in the bathroom had been water damaged.
- f. The back plate cover for the shower head in the bathroom was not secured to the wall (as a result, there was a small gap present behind the shower head).
- g. The flooring throughout the suite was damaged.
- h. The paint along the walls in the kitchen was peeling.
- i. A number of the tiles in the shower 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 a significant cockroach infestation present at the time of inspection. This is in 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;*"
- b. There was no working smoke alarm present within the unit to notify the tenants in the event of an emergency. 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.”*

- c. There were security bars present along the windows in the sleeping spaces. The security bars appeared to be screwed in place and could not be removed without tools or special knowledge in the event of an emergency. This is in contravention of Section 3(b)(iii) of the Minimum Housing and Health Standards, which states that *“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 front door of the unit had to be broken by the locksmith to gain entry to the unit (at the direction of the owner). As a result, it was not possible to secure the unit. 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.”*
- e. The ceiling materials and the baseboards behind the toilet in the bathroom had been water damaged. 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.”*
- f. The back plate cover for the shower head in the bathroom was not secured to the wall (as a result, there was a small gap present behind the shower head). 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.”*
- g. The flooring throughout the suite was damaged. 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.”*
- h. The paint along the walls in the kitchen was peeling. This is in contravention of Section 5(b) of the Minimum Housing and Health Standards, which states that *“Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.”*
- i. A number of the tiles in the shower were missing. This is in contravention of Section 5(a) of the Minimum Housing and Health Standards, which states that *“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.”*

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 September 30, 2022.

2. That the Owner undertake and pursue the completion of the following work in and about the above noted premises, namely:
 - a. Hire the services of a pest control professional to treat the cockroach infestation. Provide any reports provided by the pest control professional to this office (i.e. Alberta Health Services Environmental Public Health).
 - b. Install a working smoke alarm between the sleeping space of the suite and the remainder of the suite. Ensure the smoke alarm is maintained in proper operating condition (as per manufacturer's specifications).
 - c. Remove the security bars from the egress windows throughout the suite (i.e. those located in sleeping areas). Ensure any security bars installed can be removed without the use of tools or special knowledge in the event of an emergency.
 - d. Replace the damaged entry door and locking system for the entry door to the suite. Ensure the suite is capable of being secured.
 - e. Remove the water damaged ceiling materials and baseboards from the bathroom. Replace with new materials.
 - f. Repair the shower head in the bathroom to ensure back cover plate forms a tight seal with the wall.
 - g. Remove and replace the damaged flooring throughout the suite.
 - h. Repair/replace the damaged paint in the kitchen.
 - i. Replace the missing shower tiles in the bathroom to ensure the surface is smooth and easy to clean.

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, September 19, 2022.

Confirmation of a verbal order issued to Kim Quilala Ngo on September 16, 2022.

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 contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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www.albertahealthservices.ca/eph.asp