

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

To: Owners Investments Ltd.
“the Owner”

Kinson Tam
“the Owner”

Kimberley Ebeltoft
“the Owner”

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
10731 102 Street NW – Unit 8

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 extensive fire damage in the suite (e.g., soot on the ceilings and walls, broken ceiling in the living room, flooring in disrepair, fire damaged walls throughout the suite, water damage).
- b. Electrical appliances and power sources in the suite appeared to have been damaged by fire and/or water.
- c. The bedroom windows were broken.
- d. Smoke alarm was missing in the hallway outside the bedroom.
- e. Cover plates were missing on the electrical outlets throughout the suite.

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 extensive fire damage in the suite (e.g., soot on the ceilings and walls, broken ceiling in the living room, flooring in disrepair, fire damaged walls throughout the suite, water damage). 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. This is also 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.
- b. Electrical appliances and power sources in the suite appeared to have been damaged by fire and/or water. This is in contravention to 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.
 - c. The bedroom windows were broken. 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.
 - d. Smoke alarm was missing in the hallway outside the bedroom. 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. Cover plates were missing on the electrical outlets throughout the suite. This is in contravention of section 11 of the Minimum Housing and Health Standards which states that outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.

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 on or before August 9, 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 the Suite is secure and does not present a condition that is or may become injurious or dangerous to public health.
 - b. Remove or repair all fire & water damaged materials. Ensure any repairs are conducted in compliance with Alberta Occupational Health & Safety (OHS) requirements for asbestos removal/abatement. Work carried out must meet applicable safety codes standards.
 - c. Replace or repair damaged appliances.
 - d. Repair or replace the bedroom windows.
 - e. Install a smoke alarm between each sleeping area and the remainder of the suite. Smoke alarms shall always be operational and in good repair.
 - f. Install cover plates on the electrical outlets throughout the suite.
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, August 9, 2024

Confirmation of a verbal order issued to Kinson Tam on August 9, 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>

Copy Safe Housing Committee