

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

To: Sahill Sharma
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
11221 93 Street NW Edmonton, AB T5G 1B9

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 furnace was not in operation at the time of inspection.
- b. There was a significant sewage back-up present within the basement. Human feces and ~1 – 2 inches of sewage water were observed along the concrete floor in the basement.
- c. There were no working smoke alarms present in the premises.
- d. The toilet in the main floor bathroom was not in operation.
- e. The windows in the living room and above the stairs to the upstairs portion of the home were broken.
- f. A number of the electrical outlets and light switches were not fitted with plate covers.
- g. The light fixture located along the ceiling of the main floor bedroom was missing. The light fixture located above the stairwell was not secured to the mount.
- h. There was exposed wiring present along the ceiling in the living room (which appeared to be where a smoke alarm had previously been installed).
- i. A number of the finishes throughout the home were in disrepair, including: the walls in the living (which had holes present), the ceiling of the living room (which had a large hole present), the ceiling of the basement laundry room (which had a hole preset), the walls in the upstairs portion of the home (which had large holes present), the walls in the kitchen (which were damaged and no longer smooth/easy to clean).
- j. A number of the kitchen cupboard doors were missing.
- k. The top panel of the oven/stove was missing.
- l. The upstairs kitchen sink was not draining.
- m. The handrail/guard rail along the stairwell to the upstairs portion of the home was missing. The handrail/guard rail along the right side of the front entranceway steps to the home was missing.
- n. The handle to the back door was missing.
- o. A number of the wooden boards along the back deck were rotted or missing.
- p. The mechanical ventilation fan in the main floor washroom was not in operation.

- q. There was a hole in the exterior wall of the attic space (visible when viewing the home from the road). As a result, this space 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 furnace was not in operation at the time of inspection. This is in contravention of Section 8(a) of the Minimum Housing and Health Standards, which states that “(a) All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of ; (i) at least 22°C(71°F), or (i) maintained at a temperature of at least 22°C(71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.”
- b. There was a significant sewage back-up present within the basement. Human feces and ~1 – 2 inches of sewage water were observed along the concrete floor in the basement. 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.”, as well as Section 16 of the Minimum Housing and Health Standards, which states that “The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition.”
- c. There were no working smoke alarms present in the premises. 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. The toilet in the main floor bathroom was not in operation. This is in contravention of Section 6(c) of the Minimum Housing and Health Standards, which states that “All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”
- e. The windows in the living room and above the stairs to the upstairs portion of the home 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.”
- f. A number of the electrical outlets and light switches were not fitted with plate covers. 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.”
- g. The light fixture located along the ceiling of the main floor bedroom was missing. The light fixture located above the stairwell was not secured to the mount. 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. There was exposed wiring present along the ceiling in the living room (which appeared to be where a smoke alarm had previously been installed). 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."
- i. A number of the finishes throughout the home were in disrepair, including: the walls in the living (which had holes present), the ceiling of the living room (which had a large hole present), the ceiling of the basement laundry room (which had a hole preset), the walls in the upstairs portion of the home (which had large holes present), the walls in the kitchen (which were damaged and no longer smooth/easy to clean). 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."
- j. A number of the kitchen cupboard doors were missing. This is in contravention of Section 14(a)(ii) of the Minimum Housing and Health Standards, which states that "Every housing premises shall be provided with a food preparation area, which includes:... (ii) cupboards or other facilities suitable for the storage of food;"
- k. The top panel of the oven/stove was missing. This is in contravention of Section 14(a)(iv) of the Minimum Housing and Health Standards, which states that "(a) 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. (400F)."
- l. The upstairs kitchen sink was not draining. 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."
- m. The handrail/guard rail along the stairwell to the upstairs portion of the home was missing. The handrail/guard rail along the right side of the front entranceway steps to the home was missing. This is in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards, which states that "Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design."
- n. The handle to the back door was missing. 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."
- o. A number of the wooden boards along the back deck were rotted and missing. 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."
- p. The mechanical ventilation fan in the main floor washroom was not in operation. 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."
- q. There was a hole in the exterior wall of the attic space (visible when viewing the home from the road). As a result, this space 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 November 30, 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. Repair or replace the furnace to ensure the heating system is capable of maintaining a temperature of at least 22 degrees Celsius in all habitable rooms.
 - b. Clean and disinfect the flooring contaminated by the sewage in the basement. Repair the sewage disposal system to ensure it is operating properly. Provide information to Alberta Health Services – Environmental Public Health as to the cause of the back-up.
 - c. Install working smoke alarms between each sleeping space and the remainder of the home.
 - d. Repair the main floor toilet to ensure it is operating properly.
 - e. Replace the broken windows in the living room and above the stairwell.
 - f. Replace the missing plate covers for the electrical outlets and light switches.
 - g. Replace the missing light fixture in the main floor bedroom.
 - h. Repair the light fixture above the stairwell to the upstairs portion of the home.
 - i. Repair/cover the exposed electrical wiring along the ceiling in the living room.
 - j. Repair the damaged finishes throughout the home, including: the walls in the living (which had holes present), the ceiling of the living room (which had a large hole present), the ceiling of the basement laundry room (which had a hole preset), the walls in the upstairs portion of the home (which had large holes present), the walls in the kitchen (which were damaged and no longer smooth/easy to clean).
 - k. Replace the missing kitchen cupboard doors.
 - l. Replace the top panel of the oven/stove.
 - m. Repair the upstairs kitchen sink to ensure it is draining properly.
 - n. Replace the missing guardrail/handrails along the stairwell to the upstairs portion of the home and along the front entranceway stairs.
 - o. Replace the handle to the back door to ensure it is capable of being secured.
 - p. Replace the rotted and missing boards for the back deck.
 - q. Repair the mechanical ventilation fan in the main floor washroom.
 - r. Repair the hole in the attic space to ensure the home is weatherproof.
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, November 16, 2023.
Confirmation of a verbal order issued to Jessica Kavanagh on November 15, 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>

Edmonton • Environmental Public Health

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www.albertahealthservices.ca/eph.asp