

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

To: NHUNG MAI LAM TRAN
 "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:
 11310 101 Street NW

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, in contravention of the Public Health Act and Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 namely:

- a. The front (east) exterior guards were under 36 inches which was too low.
- b. There was no handrail along the back stairs leading to the basement.
- c. A portion of the handrail was missing along the stairs leading to the second floor.
- d. The southeast and south basement bedroom windows were measured at 15 inches by 26 inches, which does not meet emergency egress requirements.
- e. The second floor back (west) bedroom window handle was missing and the window could not be easily opened, which does not meet emergency egress requirements.
- f. There was no operational smoke alarm installed by the basement bedrooms.
- g. The second floor smoke alarm was not operational.
- h. There was water infiltration into the basement likely due to a leaking pipe: the flooring was wet in the southeast basement bedroom.
- i. The basement bathroom handsink faucet was missing.
- j. There appeared to be water infiltration coming into the basement hall ceiling.
- k. Various windows were single paned or broken including: the south basement bedroom window was single paned; the basement bathroom was single paned; the second floor front (east) window was single paned and had a broken pane; the second floor back (west) window was broken.

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 front (east) exterior guards were less than 36 inches which is too low. 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.”
- b. There was no handrail along the back stairs leading to the basement. 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.”
 - c. A portion of the handrail was missing along the stairs leading to the second floor. 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.”
 - d. The southeast and south basement bedroom windows were measured at 15 inches by 26 inches, which does not meet emergency egress requirements. This is in contravention of Section 3(b)(i, ii, iii) of the Minimum Housing and Health Standards, which states that “(i) 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.”
 - e. The second floor back (west) bedroom window handle was missing and the window could not be easily opened, which does not meet emergency egress requirements. This is in contravention of Section 3(b)(i, ii, iii) of the Minimum Housing and Health Standards, which states that “(i) 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.”
 - f. There was no operational smoke alarm installed by the basement bedrooms. 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.”
 - g. The second floor smoke alarm was not operational. 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.”
 - h. There was water infiltration into the basement likely due to a leaking pipe: the flooring was wet in the southeast basement bedroom. This is in contravention of Section 1(b) of

the Minimum Housing and Health Standards, which states that “Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.”

- i. The basement bathroom handsink faucet was missing. 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. (a) The washbasins and bathtub or shower shall be supplied with potable hot and cold running water.”
- j. There appeared to be water infiltration coming into the basement hall ceiling. This is in contravention of Section 1(b) of the Minimum Housing and Health Standards, which states that “Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.”
- k. Various windows were single paned or broken including: the south basement bedroom window was single paned; the basement bathroom was single paned; the second floor front (east) window was single paned and had a broken pane; the second floor back (west) window was broken. This is in contravention of Section 2(b)(i, ii) of the Minimum Housing and Health Standards, which states that “(i) All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof. (ii) In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.”
- l. Finishes were in disrepair in places including: the second floor hallway and back (west) consisted of unfinished chipboard subfloor; the second floor bathroom flooring was in disrepair; basement flooring was lifting and damaged due to water infiltration; and the door casing was missing from the second floor front (east) bedroom. 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. (a) 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. (b) 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.”
- m. The second floor bathroom did not have ventilation. 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.”
- n. Various electrical switches and outlets were missing cover plates. 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.”
- o. Insect screens were missing from various windows. This is in contravention of Section 2(b)(iii) of the Minimum Housing and Health Standards, which states that “During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.”

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 **August 8, 2025**.
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 front exterior stair guard so that it meets the requirements of the Alberta Building Code.
 - b. Install a handrail along the back stairs leading to the basement.
 - c. Ensure that the handrail is continuous along the stairs leading to the second floor.
 - d. Install operational smoke alarms between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas. Smoke alarms are to be operational and in good repair at all times.
 - e. Ensure that all sleeping areas have adequate means of emergency egress. Windows shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15"). Ensure that all windows intended for emergency egress are capable of being opened.
 - f. Assess and correct the source of the pooling water in the basement. Provide assessment/repair documentation to this office.
 - g. Assess and correct the source of the water infiltration in the basement ceiling from the main floor. Provide assessment/repair documentation to this office.
 - h. Ensure that cover plates are installed on all electrical outlets and switches.
 - i. Ensure that all walls, windows, ceilings, floors, and floor coverings are be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean. Rooms containing a flush toilet and/or a bathtub or shower are to have walls and floors that are smooth, non-absorbent to moisture and easy to clean. Kitchens are to have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
 - j. Repair the basement bathroom handsink so that it has an operational faucet.
 - k. Ensure that the second floor bathroom ventilation fan is operational and in good repair.
 - l. Ensure the doors and windows maintained in good repair and adequately weatherproof. Windows in habitable rooms are to protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.
 - m. Ensure that windows intended for ventilation are supplied with effective screens during the portion of the year when there is a need for protection against flies and other flying insects.
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, July 14, 2025

Confirmation of a verbal order issued to Lam Tran and Tom Didechko on July 10, 2025.

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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<https://www.ahs.ca/eph>