

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

To: Lalataksh Kusagandla
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:

11501 90 St NW Edmonton, AB T5B 3X9

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 windows within the basement were too small to meet emergency egress (openable area of the windows is <3.8 feet squared). There were two individuals present within the basement (as well as a mattress and personal belongings).
- b. There were no working smoke alarms installed between the sleeping spaces of the home and the remainder of the home.
- c. The front and back door locks for the home were in disrepair. As a result, it was not possible to properly secure the front and back doors of the home.
- d. The windows in the basement and along the back porch were missing.
- e. There were large piles of garbage within the garage. One of the tenants in the home indicated the occupants of the home had been storing their garbage inside.
- f. One of the pipes in the basement was leaking. There appeared to be waste flowing down the side of the pipe

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 windows within the basement were too small to meet emergency egress (openable area of the windows is <3.8 feet squared). There were two individuals present within the basement (as well as a mattress and personal belongings). This is in contravention of Section 3(b)(i) 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")."

- b. There were no working smoke alarms installed between the sleeping spaces of the home and the remainder of the home. 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. The front and back door locks for the home were in disrepair. As a result, it was not possible to properly secure the front and back doors of the home. 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.”
- d. The windows in the basement and along the back porch were missing. 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.”
- e. There were large piles of garbage within the garage. One of the tenants in the home indicated the occupants of the home had been storing their garbage inside. This is in contravention of Section 5(2) of the Alberta 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.”
- f. One of the pipes in the basement was leaking. There appeared to be waste flowing down the side of the pipe. 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 light above the back door was not in operation at the time of inspection. 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 open wiring present within the basement. 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. The flooring along the main floor of the home (including that within the upstairs living room, kitchen, and bathroom) was damaged at the time of inspection (as a result, the flooring was no longer 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. (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.”
- j. The kitchen cabinet was in disrepair and constructed of unfinished wood. This is in contravention of Section 14(a)(ii) of the Minimum Housing and Health Standards, which

- states that “(a) 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 basement door was cracked and 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.”
 - l. The ceiling in the corner of the front bedroom (Northwest side of the home) was water-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.”
 - m. There were holes present in the siding of the home. The frame around the NW bedroom window was not weatherproof. This is in contravention of Section 2(a) of the Minimum Housing and Health Standards, which states that “The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”
 - n. There was a gap present along the bottom of the back door. 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 12, 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. Install an emergency egress window within the basement sleeping space(s) that provides an unobstructed opening of at least 3.8 ft² (with no dimension less than 15 inches).
 - b. Install a smoke alarm between each sleeping space of the home and the remainder of the home. The smoke alarm must be maintained in proper, operating condition at all times.
 - c. Replace the locks for the front and back doors of the home. Conduct any necessary repairs to the surrounding frame/door to ensure the front and back doors are capable of being secured.
 - d. Replace the missing windows along the basement and the back porch.
 - e. Dispose of the garbage within the garage to prevent the harborage of pests.
 - f. Repair the sewage pipe in the basement to ensure it is operating properly and no waste is released from the pipe during use.
 - g. Repair/replace the light above the back stairs.
 - h. Secure and properly cap the wiring within the basement.
 - i. Repair/replace the flooring within the home (including the flooring along the living room, in the main floor bathroom, and in the main floor kitchen).
 - j. Replace the kitchen cupboards and cabinets with those that are smooth, impervious to moisture, and easy to clean.
 - k. Replace the door to the basement.

- l. Abate the source of the leak into the NW bedroom. Remove and replace all damaged materials.
 - m. Repair the holes in the siding of the home.
 - n. Repair the exterior frame around the NW bedroom window to ensure material is weatherproof.
 - o. Install weatherstripping along the bottom of the back door.
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, October 11, 2024.

Confirmation of a verbal order issued to Lalataksh Kusagandla on October 11, 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>

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www.albertahealthservices.ca/eph.asp