

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

**To:** Jesse Vui Fah Pui  
"the Owner"

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
11548 67 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, namely:

- a. There was an exposed electrical box with hanging wiring in the basement ceiling.
- b. Walls were in disrepair throughout the premises, including unfinished wood, holes, pieces of casing missing.
- c. The kitchen counter edge beside the stove had exposed unfinished porous material that was not properly sealed.
- d. The front left stove burner was in disrepair.
- e. The furnace was not properly operational. Temperatures throughout the premises were very low, ranging from 7 degrees Celsius to 11.5 degrees Celsius in main floor living spaces.
- f. There was a large amount of combustible items stored within 3 feet of the furnace and the hot water tank.
- g. The front (east) exterior stair/porch guards do not comply with the Alberta Building Code.
- h. There was no stair guard or handrail along the back/side exterior steps.
- i. There was no handrail or guard along the stairs leading to the basement.
- j. The upstairs bedroom window was blocked, which impedes emergency egress.
- k. There was a basement room used for sleeping (mattress with bedding), which did not have appropriate emergency egress.
- l. The front door was nailed shut, preventing emergency egress.
- m. The front door and various windows were sealed shut due to weatherproofing issues.
- n. There was low head clearance in places including the back (west) foyer entrance.
- o. There was evidence of a sewer backup in the basement.

**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. Item [m] was in contravention of section III(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.
- b. Items [j, k] were in contravention of section III(3)(b)(i, ii) of the Minimum Housing and Health Standards which states that: 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 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).
- c. Items [g, h, i] were in contravention of section III(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. Item [b] was in contravention of section III(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.
- e. Item [o] was in contravention of section IV(6) of the Minimum Housing and Health Standards which states that: Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. (a) 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. (b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- f. Item [e] was in contravention of section IV(8) of the Minimum Housing and Health Standards which states that: 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 22C(71F), or (i) maintained at a temperature of at least 22C(71F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant. (b) When the outside temperature is colder than the winter design temperature as referenced in the Alberta Building Code (97) Section 2.2.1.1 and Appendix C, then the Executive Officer may permit an indoor temperature of less than 22C(71F) but greater than 16C (60F). (c) Cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room. (d) Every owner must ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant.

- g. Item [a] was in contravention of section IV(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. Item [c, d] was in contravention of section IV(14)(a) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: (i) a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation; and (ii) cupboards or other facilities suitable for the storage of food; and (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; and (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. (40F).
- i. Items [f, l, o] were in contravention of section 5(2) of the Housing Regulation (AR 173/99) that 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.

**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 January 13, 2023.
- 2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Ensure that the electrical service including fixtures and conductors are properly installed and maintained in good and safe working condition.
  - b. Ensure wall, ceiling, and floor finishes are in good repair.
  - c. Ensure the kitchen counter is in smooth, easily cleanable and is in good repair.
  - d. Ensure that the stove is in good repair and that all of the stove burners are properly operational.
  - e. Hire a licensed Plumbing and Heating contractor to inspect the furnace and repair as necessary. Ensure that the furnace is properly installed and maintained in good working condition and is capable of safely and adequately heating all habitat rooms to a temperature of at least 22 degrees Celsius.
  - f. Ensure that combustible items are not stored within 3 feet of the furnace and the hot water tank. ***Provide the documentation to this office.***
  - g. Ensure that the front (east) and side (south) exterior stairs and porches comply with the current Alberta Building Code.
  - h. Install a handrail and guardrail along the stairs leading to the basement.
  - i. Ensure that the main floor bedroom window provides adequate emergency egress.
  - j. Ensure that the basement bedroom is provided with adequate emergency egress or do not use this basement for sleeping.
  - k. Repair the front (east) door so that it both opens and is capable of being adequately secured.
  - l. Ensure that the exterior doors and windows are adequately weatherproof.

- m. Hire a qualified plumber to investigate the potential sewage backup and repair as necessary. ***Provide the documentation to this office.***
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, December 16, 2022  
Confirmation of a verbal order issued to Jesse Pui and tenants on December 15, 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](mailto: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>.

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Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>