

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

**To:** Elite Project Management Inc.  
"the Owner"

And.

Sikandar-Ali (Sam) Malik  
"the Owner"

And.

John Lamer  
"the Owner"

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
**11715 139 Street NW – Basement Suite**  
**[Plan 5995HW, Block 13, Lot 17]**

**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:

**Common Areas:**

- a. The rear door lock in the common area leading to basement was in disrepair.
- b. The rear entrance stairs leading to the basement and main floor suite had no handrail installed.
- c. There was exposed conduct protruding from the ceiling of the stairwell.
- d. The guards on the stair leading to the basement had a height of 18 inch.
- e. The window located at the bottom of the basement stairs was not able to close properly.
- f. There were multiple active water leak coming from the utility room ceiling.
- g. The premises was not equipped with running hot water.

**Basement**

- h. The following finishings were damaged at the time of the site inspection: The floor covering throughout the suite was torn, disrepair, cracked and detached at places and there were multiple areas throughout the suite that the baseboards had lifted and detached.
- i. The following egress concerns were noted during the inspection and do not comply with emergency egress requirements: The north bedroom window was measured to have dimensions of 25 inch to 20 inch, the west bedroom had no window installed, the southwest bedroom window was unable to remain open without assistance.
- j. There were multiple stove burners that were not operational
- k. The kitchen outlet was not operational.
- l. The kitchen counter showed evidence of water damaged, surface was swollen and had separated.
- m. The kitchen eastern portion of the subfloor shows signs of water damage and rot.
- n. The kitchen fridge had an internal temperature of approximately 10 degrees and multiple shelves and drawers were in disrepair or missing. Furthermore, the fridge had an active water leak. The leak appeared to be coming from the thermostat control.
- o. There was evidence of water damage on the hallway ceiling.
- p. There was no smoke alarm installed within the suite.
- q. The bathroom subfloor and baseboards showed signs of water damage, rot and mould. The floor covering had lifted, separated and detached.
- r. The bathroom hand sink was leaking and was not secured to the wall.

**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:

#### **Common Area**

- a. The rear door lock in the common area leading to basement was in disrepair. This is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
- b. The rear entrance requires weatherproofing. This is 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.
- c. The rear entrance stairs leading to the basement and main floor suite had no handrail installed. This in in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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. There was exposed conduct protruding from the ceiling of the stairwell. This is 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.

- e. The guards on the stair leading to the basement had a height of 18 inch. This is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.
- f. The window located at the bottom of the basement stairs was not able to close properly. This is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured and 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.
- g. The window located at the bottom of the basement had a screen missing. This is in contravention of section III(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.
- h. There were multiple active water leak coming from the utility room ceiling. This is in contravention of section IV(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.
- i. The premises was not equipped with running hot water. This is in contravention of section IV(14)(a)(i) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: 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 section IV(7)(a) of the Minimum Housing and Health Standards which states that: The washbasins and bathtub or shower shall be supplied with potable hot and cold running water.

## **Basement**

- j. The following finishings were damaged at the time of the site inspection: The floor covering throughout the suite was torn, disrepair, cracked and detached at places and there were multiple areas throughout the suite that the baseboards had lifted and detached. These are 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.
- k. The following egress concerns were noted during the inspection and do not comply with emergency egress requirements: The north bedroom window was measured to

have dimensions of 25 inch to 20 inch, the west bedroom had no window installed, the southwest bedroom window was unable to remain open without assistance.

These are in contravention of section III (3)(b)(ii) of the Minimum Housing and Health Standards which states that: 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”).

- l. The north bedroom window screen was missing. This is in contravention of section III(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.
- m. There were multiple stove burners that were not operational. This is in contravention of section IV(14)(a)(i) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: 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.
- n. The kitchen outlet was not operational. This is 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.
- o. The kitchen counter showed evidence of water damaged, surface was swollen and had separated. This is in contravention of section III(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 kitchen eastern portion of the subfloor shows signs of water damage and rot. This is in contravention of section III(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.
- q. The kitchen fridge had an internal temperature of approximately 10 degrees and multiple shelves and drawers were in disrepair or missing. Furthermore, the fridge had an active water leak. The leak appeared to be coming from the thermostat control. This is in contravention of section IV(14)(a)(i) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: 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.
- r. There was evidence of water damage on the hallway ceiling. This is in contravention of section III(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.
- s. There was no smoke alarm installed within the suite. This is in contravention of section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.

- t. The bathroom subfloor and baseboards showed signs of water damage, rot and mould. The floor covering had lifted, separated and detached. This is in contravention of section III(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.
- u. The bathroom hand sink was leaking and was not secured to the wall. This is in contravention of section IV(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.

**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 **September 30, 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. Repair or replace the common area rear door lock.
  - b. Repair or replace the common area rear entrance weatherproofing.
  - c. Install a handrail on both the rear entrance stairs leading to the basement and main floor suite.
  - d. Repair or cap off the following electrical deficiencies:
    - i. There was exposed conduct protruding from the ceiling of the stairwell.
    - ii. The kitchen outlet was not operational.
  - e. Install a guard on the stairs leading to the basement common area. Ensure the guard complies with current building codes requirements
  - f. Repair the common area basement window and ensure the window is able remain secure.
  - g. Install window screens on the following exterior windows
    - i. The window located at the bottom of the basement had a screen missing.
    - ii. The north bedroom window screen was missing.
  - h. Repair the multiple water leak coming from the utility room ceiling.
  - i. Repair or replace the property hot water tank. Ensure the premises has a constant supply of running potable hot and cold water. **Make sure all necessary permits are obtained from the City of Edmonton and all documents are submitted to Alberta Health Services Environmental Public Health for review.**
  - j. Ensure all wall, ceiling and flooring are smooth, durable, impervious to moisture and easily cleanable.
  - k. Ensure all bedroom windows comply with emergency egress requirements.
  - l. Repair or replaces the stove burners.
  - m. Remove and replace the water damaged kitchen counter.
  - n. Remove and replace the portion of the water damaged and rotted kitchen subfloor

- o. Repair or replace the kitchen fridge and ensure the internal temperature is able to maintain 4 degrees or less. Replace the broken shelves and drawers.
  - p. Repair the active fridge water leak.
  - q. Remove and replace the water damage hallway ceiling.
  - r. Install a smoke alarm in the common hallway leading to the bedrooms.
  - s. Remove and replace all water damaged, rotted and mouldy bathroom building material.
  - t. Re-secure the bathroom hand sink and repair the leak by the plumbing.
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, August 26, 2024.**

**Confirmation of a verbal order issued to Sikandar-Ali (Sam) Malik Elite Project Management Inc on August 22, 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](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>.

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>