

**ORDER OF AN EXECUTIVE OFFICER  
UNFIT FOR HUMAN HABITATION  
ORDER TO VACATE**

**To:** Amar Bir Singh  
"the Owner"

And

Kay Kay Corporation  
"the Owner"

And

Condominium Consultants Canada Inc.  
"the Owner"

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
Suite 107, 11730A – 127 Street; (also known to as Block 1, Premier City Park)

**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. Water damage and mold growth was present in the ceiling above the bath tub.
- b. There was evidence of water damage in the edging of the ceiling in the bathroom.
- c. Part of the ceiling above the kitchen sink was in disrepair from water leakage.
- d. No lock mechanism was present on the kitchen window.
- e. Insect screens were missing in the kitchen and the bedroom windows.
- f. An electrical outlet cover was missing in the kitchen.
- g. There was a crack in the middle of the bathroom sink.
- h. Caulking was missing next to the bathroom sink and 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:

- a. Water damage and mold growth was present in the ceiling above the bath tub which is in contravention to Section III(5(a) 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.

- b. Water damage was present in the edging of the ceiling in the bathroom which is in contravention to Section III(5)(a) 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.
- c. Part of the ceiling above the kitchen sink was in disrepair from water damage and water leakage which is in contravention to Section III(5)(a) 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.
- d. No lock mechanism was present on the kitchen window which is in contravention to Section III(3)(a) of the Minimum Housing and Health Standards which states that the exterior windows and doors shall be capable of being secured.
- e. Insect screens were missing in the kitchen and the bedroom windows which is in contravention to 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.
- f. An electrical outlet cover was missing in the kitchen which is in contravention to Section (IV)11 of the Minimum Housing and Health Standards which states that outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
- g. There was a crack in the middle of the bathroom sink which is in contravention to 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.
- h. Caulking was missing next to the bathroom sink and the wall which is in contravention to Section III(5)(a) of the 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. 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.

**AND WHEREAS**, by virtue of the foregoing, the above noted premises are hereby declared to be **Unfit for Human Habitation**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That this suite remains vacant.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. The areas where water damage has occurred (the ceiling above the bath tub, edging of the ceiling in the bathroom, and part of the ceiling above the kitchen sink) must be assessed to determine the extent of damage and mould contamination.

This assessment must include insulation and any other absorbant material in wall and ceiling cavities. All mouldy material must be removed and the area cleaned and dried before repairs and refinishing are completed. Mould remediation must be consistent with procedures in these or similar documents: Mould Remediation in Schools and Commercial Buildings (EPA, 2001). Pictures need to be taken inside the water damaged areas to determine the extent of damage and mould contamination.

- b. Install a lock on the kitchen window. Ensure insect screens are present on the kitchen, bedroom windows, and every other openable window.
- c. Ensure the electrical outlet cover is present on the kitchen electrical outlet.
- d. Fix the crack in the middle of the bathroom sink by repairing or replacing the sink.
- e. Repair or replace caulking between sink and backsplash/wall.

- 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 vacant and secure from unauthorized entry.

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 28, 2015

\_\_\_\_\_(Original Signed)\_\_\_\_\_  
Francesco Palladino, CPHI(C)  
Executive Officer  
Alberta Health Services

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, Telus Plaza North Tower  
10025 Jasper Avenue NW  
Edmonton, Alberta, T5J 1S6  
Phone: 780-427-2813  
Fax: 780-422-0914  
Email: [health.appealboard@gov.ab.ca](mailto:health.appealboard@gov.ab.ca)

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or [www.qp.gov.ab.ca](http://www.qp.gov.ab.ca).

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Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)

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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)