

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

To: Chandra Kanta
Edmonton, Alberta

Ahmad Wali
Edmonton, Alberta

Hazra B. Wali
Edmonton, Alberta

Reena Mani
Edmonton, Alberta

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
Basement, 11734 – 87 Street, Plan RN43B, Block 75, Lot 20

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 no smoke alarm installed.
- b. The head clearance in the basement was too low, with the lowest point measuring 170 cm in some areas.
- c. The window in the east room was unable to be opened and was too small for egress in the case of a fire or other emergency. This room was being used for sleeping purposes, evidenced by the presence of a bed and bedding as well as other personal items.
- d. There was a plumbing leak underneath the bathroom sink, with water pooled on the bathroom linoleum floor.
- e. The walls throughout the basement consisted of exposed studs with the partial installation of unfinished drywall in places.

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. There was no smoke alarm installed which is a contravention on section IV(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.

- b. The window in the east room was unable to be opened and was too small for egress in the case of a fire or other emergency which is a contravention of section III(3)(b) of the Minimum Housing and Health Standards. Windows intended to be secondary means of egress shall provide unobstructed openings with areas not less than 0.35 m^2 (3.8ft^2 or 547 inches^2), with no dimension less than 380 mm (15"). All egress windows must open directly to the outside.
- c. There was a plumbing leak underneath the bathroom sink which is a contravention of section IV(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.
- d. The walls throughout the basement consisted of exposed studs with the partial installation of unfinished drywall in places which is a 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.

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 the occupants vacate the above noted premises immediately.
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 operational smoke alarm near the sleeping area.
 - b. Increase head clearance in to at least 183 cm.
 - c. Repair or replace all bedroom windows which are intended to be a secondary means of egress. Bedroom windows intended to be used as a secondary means of egress shall provide unobstructed openings with areas not less than 0.35 m^2 (3.8ft^2), with no dimension less than 380 mm (15"). All egress windows must open directly to the outside.
 - d. Repair the bathroom plumbing so that it is in proper operating condition and free from leaks.
 - e. Ensure all walls, windows, ceilings, floors, and floor coverings are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.

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, May 13, 2014

Confirmation of a verbal order issued to Mrs. Chandra Kanta, on May 9, 2014.

_____(Original Signed)_____
Rebecca Johnson, 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 within ten (10) days after receiving the order to the Public Health Appeal Board located at Reception, Main Floor. Telus Plaza, 10025 Jasper Avenue, Edmonton, Alberta, T5J 1S6, Telephone 780-427-2813 Fax 780-422-0914.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or the Public Health Appeal Board 780-427-2813.

You are advised that all orders remain in effect pending such an appeal

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.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

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

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www.albertahealthservices.ca/eph.asp