

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

To: **JATINDER KALAY**
 "the Owner"

AND

SURJIT KALAY
 "the Owner"

AND

GURMIT KALAY
 "the Owner"

AND

HARBHAJAN KALAY
 "the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
11910 71 Street NW
(Lot 25, Block 6, Plan 2629HW)

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:

Main Floor

- a. The floor covering had lifted and detached throughout the premises.
- b. The baseboards had lifted and detached throughout the premises.
- c. The main floor (hallway, bathroom, and both bedrooms) were not equipped with power.
- d. The thermostat cover was missing in the bedroom.
- e. There was missing electrical and light protective covers missing throughout the premises.
- f. There were multiple window screens that were either in disrepair or missing throughout the premises.
- g. There was multiple window panes that were missing or broken throughout the suite.

- h. There were multiple window locks that were not operational or missing throughout the premises.
- i. All bedroom windows were screwed shut. Bedroom window egress requirements were unable to be verified.
- j. The front entrance was not weatherproofed.
- k. The drywall surfaces was in disrepair throughout the premises.
- l. There was exposed conducts throughout the premises.
- m. The front entrance guard height was less than 36 inches.
- n. The front entrance guard spindles were measured to be greater than 4 inches.
- o. The NW bedroom window had been sealed with building material, thus preventing egress during an emergency.
- p. The NW bedroom window interior casing had lifted and detached.
- q. The hand sink counter/basin had detached from the drywall.
- r. The bathroom tub surround surface had detached.
- s. The back wall behind the toilet showed evidence for water damage.
- t. The tub shower plumbing did not provide a water tight seal, evidence of water damage on drywall.
- u. The kitchen counter surfaces was cracked behind the faucet. There was evidence of water damage on the underside of the kitchen counter around the sink basin.
- v. The kitchen counter faucet was not secured.
- w. The kitchen counter backsplash had lifted and detached.
- x. The kitchen counter was not secured.
- y. The kitchen door casing had lifted and detached.
- z. The back entrance was not weatherproofed.
- aa. The handrail on the stairs leading to the basement was not continuous.
- bb. The dryer was not properly vented to the exterior of the premises.
- cc. The gas line by the dryer was not attached or capped.

Basement

- dd. The bathroom tub surround was in disrepair, multiple holes noted.
- ee. The bathroom shower faucet handle had detached.
- ff. The smoke alarm was not operational.
- gg. The kitchen sink was leaking.
- hh. The kitchen flooring showed evidence of water damage. Surface had lifted, buckled and detached.

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. Items (a, b, k and p) 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.
- b. Items (r, t and dd) are in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: 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.
 - c. Items (q, w, x and y) are in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: 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.
 - d. Item (c) is in contravention of section IV(8)(d) of the Minimum Housing and Health Standards which states that: Every owner of a housing premises shall 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.
 - e. Items (d, e and l) are 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.
 - f. Item (f) 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.
 - g. Items (g, j and z) are 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.
 - h. Item (g) is in contravention of section III(2)(b)(ii) of the Minimum Housing and Health Standards which states that: In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.
 - i. Item (h) 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.
 - j. Items (i and o) are in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
 - k. Items (m, n and aa) are 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.

- l. Items (s, t, u and hh) are 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.
- m. Items (v, ee and gg) are 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.
- n. Item (ff) 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.
- o. Items (bb and cc) are in contravention of section 5(2) of the Housing Regulations 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.

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 1, 2022**.
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 damaged or missing finishes throughout the premises. Ensure all surfaces are maintained in good repair and in a condition that renders it easy to clean.
 - b. Repair the power to the main floor bathroom, bedroom, and hallway. The entire premises is equipped with power that is operational at all times. Ensure electrical is repaired and inspected by a certified electrician. **All reports are to be submitted to Alberta Health Service Environmental Public Health for review.**
 - c. Repair or replace damage or missing electrical or light protective covers throughout the premises.
 - d. Repair or replace all damaged or missing window screens throughout the premises. 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 are required to be supplied with effective screens.
 - e. Repair or replace all missing or damaged window panes throughout the premises. All windows and exterior doors are required to be maintained in good repair, free of cracks and weatherproof.
 - f. Repair or replace all missing or damaged window locks. Ensure all window locks are operational at all times.
 - g. Ensure all exterior doors and windows are properly weatherproofed throughout the premises.

- h. Remove all screws installed in the bedroom window tracks. Ensure all bedroom window comply with emergency egress requirements.
 - i. Repair, replace or cap off exposed electrical conducts throughout the premises.
 - j. Ensure furnace is inspected by a certified HVAC specialist. **All reports are to be submitted to Alberta Health Service Environmental Public Health for review.**
 - k. Ensure the guards and handrails located on the interior and exterior of the premises comply with current building code.
 - l. Ensure all plumbing fixtures are installed properly, operational and provide a water tight seal.
 - m. Repair the damaged drywall in the main floor bathroom.
 - n. Remove and replace all water damaged building material.
 - o. Remove and replace the water damaged kitchen counter.
 - p. Ensure the dryer vent is properly vented to the exterior of the premises.
 - q. Ensure the basement gas line has been disconnected or capped off.
 - r. Install a smoke alarm by the basement bedroom. Ensure all smoke alarms are operational at all time.
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 3, 2021.

Confirmation of a verbal order issued to **JATINDER KALAY** on November 30, 2021. .

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:

Order of an Executive Officer – Closed for Tenant Accommodation – Order to Vacate
RE: The premises located in Edmonton, Alberta and municipally described as:
11910 71 Street NW (Lot 25, Block 6, Plan 2629HW)

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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 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.

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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Edmonton • 106 Street Tower • Environmental Public Health

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www.albertahealthservices.ca/eph.asp