

ORDER OF AN EXECUTIVE OFFICER

To: Ben Gee Chris Subaiya
 "the Owner" "the Owner"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
12012 62 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. The front door is in disrepair such that it is not securable/lockable (including the door, doorframe, dead bolt lock, and strike plate).
- b. Both windows in the northwest bedroom are not openable and are in disrepair. Furthermore, there is large furniture blocking each window.
- c. There are no smoke alarms installed.
- d. There is evidence of an active cockroach infestation (cockroach feces and dead cockroaches were observed in the kitchen).

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. The front door is in disrepair such that it is not securable/lockable (including the door, doorframe, dead bolt lock, and strike plate). This is in contravention of Section 3(a) of the Minimum Housing and Health Standards, which states that "Exterior windows and doors shall be capable of being secured."
- b. The front door is in disrepair such that it is not weatherproof. This is in contravention of Section 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. There are no smoke alarms installed. This is in contravention of Section 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."
- d. There is evidence of an active cockroach infestation (cockroach feces and dead cockroaches were observed in the kitchen). This is in contravention of Section 16 of the Minimum Housing and Health Standards, which states that "The owner shall ensure that the housing premises are free of insect and rodent infestations. (i) all situations requiring the application of pesticides shall be conducted in accordance with the Environmental Protection and Enhancement Act and regulation; and (ii) whenever a pesticide is applied in a dwelling, the occupant shall be notified in accordance with the latest edition of the Environmental Code of Practice for Pesticides published by Alberta Environmental

Protection. (iii) it is the occupant's responsibility to allow access in accordance to the Residential Tenancy Act to do whatever is necessary to ensure the dwelling unit is ready for pesticide application."

- e. The light fixture in the southeast bedroom is missing, exposing the wires. Furthermore, there are exposed wires that are duct taped to the wall inside the cupboard above the stove. This is in contravention of Section 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."
- f. The lights for the front porch/stairs and for the main hallway do not work. This is in contravention of Section 13 of the Minimum Housing and Health Standards, which states that "Every public hallway and stairway in a housing premises with multiple dwellings shall be adequately lighted by natural or artificial light at all times, providing in all parts thereof at least 50 lux of light at each tread or floor level."
- g. The wall separating the southeast bedroom and the hallway is unfinished. Flooring throughout the main floor is in disrepair (including gaps, missing transition strips, and deterioration). The windowsill in the kitchen is deteriorating. This is in contravention of Section 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 floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean."
- h. The kitchen cupboards are in disrepair and are deteriorating. This is in contravention of Section 14(a)(ii) of the Minimum Housing and Health Standards, which states that "Every housing premises shall be provided with a food preparation area, which includes cupboards or other facilities suitable for the storage of food."
- i. The oven door of the stove is in disrepair. This is in contravention of Section 14(a)(iv) 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 that is maintained in a safe and proper operating condition. The owner shall be responsible for the provision and operating condition of the cooking and refrigeration equipment supplied by the owner, unless the rental agreement stipulates that the tenant is responsible."
- j. The dryer is not properly vented. "This is in contravention of Section 5(2) of the Alberta Housing Regulation (AR 173/99), 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."
- k. Both windows in the northwest bedroom are not openable and are in disrepair. Furthermore, there is large furniture blocking each window. This is in contravention of Sections 3(b)(i) and 3(b)(ii) of the Minimum Housing and Health Standards, which state that "For buildings of 3 stories 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", and "Windows shall provide unobstructed openings with areas not less than 0.35 square metres (3.8 sq. ft.) with no dimension less than 380 mm (15 inches)", respectively.

- l. The front guards/guardrails for the front porch/stairs are too low and have spindles spacings that are too wide. This is in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards, which states that "Guards shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design."
- m. The counter/cabinet in the washroom is in disrepair such that there is exposed particle board on the right side (this is a porous material/not waterproof). This is in contravention of Section 1(c) of the Minimum Housing and Health Standards, which states that "All building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- n. The mechanical ventilation exhaust fan in the washroom is in disrepair. This is in contravention of Section 7(c) of the Minimum Housing and Health Standards, which states that "All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation."

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

- 1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure the front door, door frame, lock, and strike plate are repaired/replaced so that this door is capable of being secured and locked.
 - b. Repair or replace the front door and ensure it is maintained in good repair, free of cracks and weatherproof.
 - c. Ensure smoke alarms are installed between each sleeping area (i.e. bedrooms) and the remainder of the suite; and, where hallways serve the sleeping areas the smoke alarms shall be installed within the hallway.
 - d. Hire a licensed pest control company to address the cockroaches. Forward pest control reports to this office for review.
 - e. Ensure the light fixture in the southeast bedroom and electrical work inside the cupboard above the stove is properly installed and maintained in a good and safe working condition.
 - f. Ensure the stairway at the front porch and main hallway is provided with adequate lighting.
 - g. Ensure all walls (including the wall separating the southeast bedroom and the hallway), 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.
 - h. Ensure the floor and floor coverings in the kitchen are constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
 - i. Ensure the floor in the wash / bathroom is 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.
 - j. Ensure all windows including the window in the kitchen are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
 - k. Repair or replace the kitchen cupboards to ensure they are suitable for the storage of food.
 - l. Repair or replace the stove to ensure it is maintained in a safe and proper operating condition.
 - m. Ensure the dryer is properly vented to the outside.
 - n. Ensure the northwest bedroom has at least one outside window which may be opened from the inside without the use of tools or special knowledge. The window must provide an unobstructed opening with an area not less than 0.35 square metres (3.8 sq. ft.) with no dimension less than 380 mm (15 inches).

- o. Modify or replace the guards/guardrails at the front porch/stairs to ensure they are maintained in good repair and comply with the requirements of the Alberta Building Code or a Professional Engineer design.
 - p. Repair or replace the counter/cabinet in the washroom.
 - q. Repair or replace the mechanical ventilation exhaust fan.
- 2. The work referred to in paragraph 1 (a to c) shall be completed by December 22, 2024.
- 3. The work referred to in paragraph 1 (d to f) shall be completed by January 3, 2025.
- 4. The work referred to in paragraph 1 (g to q) shall be completed by January 17, 2025.

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 20, 2024

Confirmation of a verbal order issued to Chris Subaiya on December 19, 2024.

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, 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 the Public Health Appeal Board or visiting their website.

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>