

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

To: Ben K Gee Armogam Subaiya
 "the Owner" "the Owner"

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

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. There is evidence of an active cockroach infestation.
- b. The windows in the northwest bedroom cannot be secured (locked).

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 is evidence of an active cockroach infestation. 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."
- b. The windows in the northwest bedroom cannot be secured (locked). 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."
- c. The wall separating the southeast bedroom and the hallway is unfinished, the windowsill in the kitchen is deteriorating, the ceiling by the window in the north center bedroom is water damaged, flooring throughout the main floor is in disrepair (including gaps, missing transition strips, and deterioration). This is in contravention of Section 5 and 5(b) of the Minimum Housing and Health Standards, which state 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 "(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.”, respectively.

- d. The caulking where the washroom sink counter attaches to the wall is deteriorating and the bathtub wall surround is in disrepair. This is in contravention of Section 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.”
- e. The wall separating the southeast bedroom and the hallway is not in good repair. It is loose and not secured to the floor and ceiling. This is in contravention of Section 1(a,d) of the Minimum Housing and Health Standards, which states that “The housing premises shall be structurally sound. Repairs or modifications of any structural element of the housing premises may require the design and/or supervision of a professional structural engineer or a Safety Codes Officer (Building Discipline).”
- f. 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.”
- g. 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.”
- h. 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.”
- i. 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.”
- j. 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.”
- k. 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.”
- l. 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.”
- m. Windows throughout the premises are missing insect screens. This is in contravention of Section 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.”

- n. 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.”
- c. Hasps are installed on the exterior of each bedroom door for the purpose of being able to lock each bedroom door with a padlock. 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.”
- o. There is an accumulation of items, garbage, and materials in the basement. 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.”
- p. The vertical slider windows in the northwest bedroom do not remain in the open position when opened. 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.”
- q. There is a piece of wood on the bottom of the doorframe for the southeast bedroom that presents a tripping hazard. 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.”

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 March 7, 2025.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Hire a licensed pest control company to address the cockroaches. Forward pest control reports to our office for review.
 - b. Ensure all windows are capable of being secured (locked).
 - c. Identify and address the source of the water infiltration in the north center bedroom ceiling.
 - d. After identifying and addressing the source of the water infiltration in the north center bedroom, repair the ceiling.

- 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.
 - f. 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.
 - g. Ensure the floor in the washroom 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.
 - h. Ensure the wall separating the southeast bedroom and the hallway is in good repair and structurally sound.
 - i. Repair or replace the kitchen cupboards to ensure they are suitable for the storage of food.
 - j. Repair or replace the stove to ensure it is maintained in a safe and proper operating condition.
 - k. Ensure the stairway at the front porch is provided with adequate lighting.
 - l. Ensure the main hallway is provided with adequate lighting.
 - m. Modify or replace the guards/guardrails for 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.
 - n. Repair or replace the counter/cabinet in the washroom.
 - o. Repair or replace the mechanical ventilation exhaust fan.
 - p. Repair or replace the front door and ensure it is maintained in good repair, free of cracks and weatherproof.
 - q. Ensure every window is supplied with an effective screen.
 - r. Ensure the dryer is properly vented to the outside.
 - s. Remove the hasps/locks from each bedroom door as this may hinder emergency access or egress.
 - t. Clean and organize the basement as these conditions present a pest harborage environment.
 - u. Ensure all windows are capable of remaining in the open position when opened as this presents a physical hazard and may hinder emergency egress.
 - v. Remove the piece of wood on the bottom of the doorframe for the southeast bedroom as it presents a tripping hazard.
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, February 5, 2025.

Confirmation of a verbal order issued to Ben K Gee and Armogam Subaiya on February 5, 2025.

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
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>