

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

To: Zeus Properties GP INC. Hanife Masoomi Eli Erdstein
"the Owner" "the Owner" "the Owner"

Jiggs Peterson Negapatan Rogers Otikor
"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:
Common Areas and Suites, 12030 82 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 heating system in the building was not operational. Temperatures inside the common hallway was measured at -5°C, and space heaters were being used inside occupied suites.
- b. The plumbing and drainage system was not in proper operating condition as the water had been shut off to the building.
- c. The occupied suites were not supplied with a potable water supply of sufficient volume, pressure, and temperature to serve the needs of the inhabitants.
- d. There was a cockroach infestation in the building.
- e. There were beds noted in the windowless storage rooms of various suites including Suites 104, 206, and 306.
- f. The bedroom window in Suite 203 was broken.

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 heating system in the building was not operational. Temperatures inside the common hallway was measured at -5°C, and space heaters were being used inside occupied suites. This is in contravention of Section 8 of the Minimum Housing and Health Standards which states that: "(a) All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of ; (i) at least 22°C(71°F), or (i) maintained at a temperature of at least 22°C(71°F) when the control of the supplied heat in a dwelling is the

responsibility of a person other than the occupant. (b) When the outside temperature is colder than the winter design temperature as referenced in the Alberta Building Code (97) Section 2.2.1.1 and Appendix C, then the Executive Officer may permit an indoor temperature of less than 22°C(71°F) but greater than 16°C (60°F). (c) Cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room. (d) Every owner must 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”.

- b. The plumbing and drainage system was not in proper operating condition as the water had been shut off to the building. This is in contravention of Section 6 of the Minimum Housing and Health Standards which states that: “Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. (a) 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. (b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside”.
- c. The occupied suites were not supplied with a potable water supply of sufficient volume, pressure, and temperature to serve the needs of the inhabitants. This is in contravention of Section 9 of the Minimum Housing and Health Standards which states that: “Every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants. (a) All hot running water shall be maintained at a temperature of not less than 46 degrees C (1140F), and not more than 60 degrees C (1400F) measured at the plumbing fixture”.
- d. There was evidence of a cockroach infestation in the building. This is in contravention of Section 16(a) 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”.
- e. There were beds noted in the windowless storage rooms of various suites including Suites 104, 206, and 306. This is in contravention of Section 3(b)(i, ii) of the Minimum Housing and Health Standards which states that: (i) For buildings of 3 storeys 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. (ii) Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
- f. The bedroom window in Suite 203 was broken. This is in contravention of Section 2(b)(i, ii) 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. (ii) 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”.
- g. Finishes were in disrepair in various suites including: water damage on the bathroom ceiling and upper wall above the ventilation fan in Suite 102; the flooring was damaged and the bathroom wall paint was peeling in Suite 103; the flooring was damaged in the front hallway and kitchen in Suite 104; the kitchen tiles were cracked, the wall by the door

was damaged, and there were water stains along the living room ceiling in Suite 201; the kitchen tiles were broken/cracked in Suite 203; the bathroom walls and baseboards were damaged in places and the living room walls were damaged in Suite 205; and there was a portion of porous bathroom flooring in Suite 302. 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 walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean".

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 February 28, 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. Repair or replace the heating system so that it is properly installed and maintained in good working condition, and capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of at least 22°C(71°F).
 - b. Repair the plumbing and draining system so that it is maintained in proper operating condition. Adequate water and pressure are to be provided to ensure the proper operation and flushing of all fixtures.
 - c. Ensure that occupied suites in the building are supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.
 - d. Hire the services of a licensed pest control professional to inspect, treat and eradicate the building of cockroaches and any other pests. Provide copies of any reports generated by the licensed pest control professional to Alberta Health Services Environmental Public Health.
 - e. Ensure that windowless storage rooms are not being used as bedrooms as there is not means of emergency egress. An emergency egress window must open from the inside without the use of tools or special knowledge and provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15").
 - f. Repair or replace the broken window in Suite 203.
 - g. Repair or replace damaged finishes so that they are in good condition, free of holes or loose/lifting coverings, and maintained in a condition that renders them easy to clean.
 - h. Ensure that the housing premises meets the Housing Regulation (AR 173/99) and the Minimum Housing and Health Standards.

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 15, 2025
Confirmation of a verbal order issued to Jiggs Peterson Negapatan on February 14, 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>

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<https://www.ahs.ca/eph>