

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

**To:** Amar Bir Singh  
"the Owner"

And

Kay Kay Corporation  
"the Owner"

And

Condominium Corporation No. 072 4807  
"the Owner"

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
Suite 1009, 12711 – 118 Avenue 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 smoke alarm was not operational.
- b. The living room window screens were missing.
- c. The kitchen window screens were missing.
- d. The bedroom window screen was missing.
- e. The living room window panes were broken.
- f. The kitchen window panes were broken.
- g. The bedroom window panes were broken.
- h. The living room window could not be secured.
- i. The kitchen window could not be secured.
- j. The bedroom window could not be secured.
- k. There were multiple holes in the living room drywall.
- l. The bathroom hand sink was leaking.
- m. The kitchen sink was leaking.
- n. There was evidence of water damage noted in the cabinet under the kitchen sink.
- o. There was evidence of water damage noted in the cabinet under the bathroom hand sink.
- p. There was evidence of water damage noted on the ceiling of the bathroom.
- q. The bathroom ceiling had exposed drywall and unfinished surfaces.

- r. The bathroom tub/shower had tiles that were missing and have detached.
- s. There were large cracks in the bathroom drywall.
- t. The bathroom door frame was broken.
- u. The flooring throughout the premises was lifting and has started to detach.

**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 smoke alarm was not operational. This 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.
- b. The living room window screens were missing. This 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.
- c. The kitchen window screens were missing. This 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.
- d. The bedroom window screen was missing. This 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.
- e. The living room window panes were broken. This is 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.
- f. The kitchen window panes were broken. This is 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.
- g. The bedroom window panes were broken. This is 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. The living room window could not be secured. This 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.
- i. The kitchen window could not be secured. This 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. The bedroom window could not be secured. This 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.
- k. There were multiple holes in the living room drywall. This is 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.

- l. The bathroom hand sink was leaking. This is 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.
- m. The kitchen sink was leaking. This is 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. There was evidence of water damage noted in the cabinet under the kitchen sink. This is 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.
- o. There was evidence of water damage noted in the cabinet under the bathroom hand sink. This is 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.
- p. There was evidence of water damage noted on the ceiling of the bathroom. This is 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.
- q. The bathroom ceiling had exposed drywall and unfinished surfaces. This is 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.
- r. The bathroom tub/shower had tiles that were missing and have detached. This is 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.
- s. There were large cracks in the bathroom drywall. This is 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.
- t. The bathroom door frame was broken. This is 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.

- u. The flooring throughout the premises was lifting and has started to detach. This is 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.

**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 November 1, 2015**.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Ensure that the smoke alarm is operational at all time and is installed adjacent to the bedrooms.
  - b. Ensure all walls, ceilings and floor covering are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
  - c. Ensure all exterior windows are equipped with a screen that is in good repair.
  - d. Ensure all exterior windows are in good repair and are free of cracks.
  - e. Ensure all exterior windows and doors are capable of being secured.
  - f. Ensure all building material that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
  - g. Remove all wet and water damaged drywall material in the bathroom. Thoroughly clean and remove any mould found in the wall cavity. Allow all surfaces to dry completely prior to installing new drywall.
  - h. Remove all wet and water damaged building material in the cabinet under the kitchen sink. Thoroughly clean and remove any mould found in the cabinet. Allow all surfaces to dry completely prior to installing new building material.
  - i. Remove all wet and water damaged building material in the cabinet under the bathroom hand sink. Thoroughly clean and remove any mould found in the cabinet. Allow all surfaces to dry completely prior to installing new building material.
  - j. Repair the kitchen sink, bathroom sink to ensure they are free of leaks and ensure all plumbing is maintained in proper operation condition at all times.
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, September 30, 2015.

(Original Signed)

Alaa (Al) Farhat, CPHI(C)  
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, Telus Plaza North Tower  
10025 Jasper Avenue NW  
Edmonton, Alberta, T5J 1S6  
Phone: 780-427-2813  
Fax: 780-422-0914  
Email: [health.appealboard@gov.ab.ca](mailto:health.appealboard@gov.ab.ca)

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](http://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](http://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](http://www.health.alberta.ca/about/health-legislation.html)

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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)