

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

To: KENNETH DALE ELLIS
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
13453 101 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, in contravention of the Public Health Act and Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 namely:

- a. There was an extensive cockroach infestation.
- b. There were no operational smoke alarms installed.
- c. There were three bedrooms set up in the basement which had no egress windows.
- d. Water infiltration was observed in the basement. The water appeared to be coming from exterior wall of the unfinished basement.
- e. There was water dripping from the basement ceiling.

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 was an extensive cockroach infestation. 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."
- b. There were no operational 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. (a) Smoke alarms shall be operational and in good repair at all times."
- c. There were three bedrooms set up in the basement which had not egress windows. This is in contravention of Section 3(b)(i, ii, iii) 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"). (iii) If the window referred in section 3(b)(i) is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge."
- d. Water infiltration was observed in the basement. The water appeared to be coming from exterior wall of the unfinished basement. This is in contravention of Section 1(b) of the Minimum Housing and Health Standards, which states that "Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation."
 - e. There was water dripping from the basement ceiling. 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."
 - f. The electrical outlets were in disrepair including: a kitchen electrical outlet was broken and missing its cover, and the bathroom plug cover was missing. This is in contravention of Section 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."
 - g. Finishes were in disrepair including: the kitchen floor consisted of unfinished subfloor; bathroom flooring consisted of unfinished subfloor; the bathroom walls consisted of unfinished drywall and cement board. 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."
 - h. The bathroom shower fixture was missing its knobs and diverter. 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."
 - i. The bathroom fan was not operational. 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."

- j. The front door was in disrepair and not adequately weatherproofed. There were layers of plastic installed covering the door from the inside. 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.”

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 **July 18, 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 the services of a licensed pest control professional to treat the cockroach infestation within the unit/building. Request and provide copies of reports from the licensed pest control professional that indicate the observations of the technician and any actions taken. Provide copies of said reports to Alberta Health Services Environmental Public Health.
 - b. Install operational smoke alarms between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas. Smoke alarms are to be operational and in good repair at all times.
 - c. Ensure that all sleeping areas have adequate means of emergency egress. Windows shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
 - d. Assess and correct the source of the pooling water in the basement. Provide any assessment/repair documentation to this office.
 - e. Assess and correct the source of the water leak in the basement ceiling from the main floor. Provide any assessment/repair documentation to this office.
 - f. Repair the broken electrical outlet and ensure that cover plates are installed on all electrical outlets and switches.
 - g. Ensure that all walls, windows, ceilings, floors, and floor coverings are be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean. Rooms containing a flush toilet and/or a bathtub or shower are to have walls and floors that are smooth, non-absorbent to moisture and easy to clean. Kitchens are to have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
 - h. Repair or replace the bathroom shower fixture so that it is in good repair and has the proper knobs/handles.
 - i. Repair or replace the bathroom ventilation fan so that it is in good repair.
 - j. Ensure the doors and windows maintained in good repair and adequately weatherproof.
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, July 14, 2025
Confirmation of a verbal order issued to Kenneth Dale Ellis on July 10, 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>