

## ORDER OF AN EXECUTIVE OFFICER

**To:** 1185068 Alberta Ltd. Shafica (Nedal) Moustafa  
"the Owner" "the Director"

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
140 Londonderry Square 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 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 furnace was only blowing cold air and the furnace filter was visibly dirty.
- b. There is no hot water available at any of the plumbing fixtures.
- c. The refrigerator was set at the coldest setting and measured approximately 10°C.
- d. The large front burner of the stove was not functional.
- e. The main floor toilet would not flush.
- f. The basement staircase was missing a handrail.
- g. The second-floor handrails and/or guardrails were missing balusters.
- h. The spacing between the second-floor balusters was greater than 4 inches.
- i. The floor covering on the basement staircase was in disrepair. There was a broken section of tile that was missing.
- j. The floor covering on the second-floor staircase was in disrepair. The covering on the risers were not properly glued down posing a tripping hazard.
- k. The top of the bathtub did not form a watertight seal with the tiled bathtub surround.

**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. Violation [a] is in contravention of Section 8(a) Minimum Housing and Health Standards, which states that: 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 at least 22°C (71°F).
- b. Violation [b] is in contravention of Section 9(a) of the Minimum Housing and Health Standards, which states that: All hot running water shall be maintained at a temperature of not less than 46°C (114°F), and not more than 60°C (140°F) measured at the plumbing fixture.
- c. Violation [c & d] 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 and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4°C (40°F).

- d. Violation [e] is in contravention of Section 6(a) of the Minimum Housing and Health Standards, which states that: 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.
- e. Violation [f, g & h] is in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards, which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.
- f. Violations [i & j] are 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.
- g. Violation [k] 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.

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. Repair or replace the furnace so that it is in good repair and capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms to at least 22°C (71°F). Provide this office with a copy of an invoice/report confirming repairs are complete.
  - b. Install a new furnace filter.
  - c. Repair or replace the hot water tank and ensure the housing premises is supplied with potable water supply of sufficient temperature. Ensure hot water is maintained at a temperature of not less than 46°C (114°F) and not more than 60°C (140°F) measured at the plumbing fixture.
  - d. Repair or replace the refrigerator. Ensure the refrigerator is in a safe and proper operating condition and is capable of maintaining a temperature of 4°C (40°F).
  - e. Repair or replace the stove. Ensure all stovetop elements are functional and in good repair.
  - f. Repair or replace the main floor toilet and ensure it is in good repair and flushes properly.
  - g. Install a handrail on the basement staircase. Handrail height must measure between 800 mm (31.5 inches) and not more than 965 mm (38 inches).
  - h. Repair or replace the guardrails and ensure openings through a guard do not exceed 100 mm (4 inches).
  - i. Repair or replace the floor coverings where required so that they are in good repair and do not pose a tripping hazard.
  - j. Caulk where the top of the bathtub meets the tiled bathtub surround so it forms a watertight seal. Replace any mouldy caulking with new caulking.
2. The work referred to in paragraph 1 items (a – d) shall be completed by October 2, 2023.
3. The work referred to in paragraph 1 items (e – j) shall be completed by October 31, 2023.

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 26, 2023.

Confirmation of a verbal order issued to Shafica Moustafa on September 26, 2023.

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](mailto: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>

Order of an Executive Officer

RE: Those premises located in Edmonton, Alberta and municipally described as: 140 Londonderry Square NW

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