

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

**To:** **Mohammed Zeeshan Theba**  
“the Owner”

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
15012 95 Street NW

**WHEREAS** I, an **Executive Officer** of **Alberta Health Services**, have <inspected and/or received a report about> 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. Main Floor - West bedroom: the window is too small for emergency egress. The openable area measured 20 inches x 25 inches, which is less than 0.35 m<sup>2</sup> (3.8 ft<sup>2</sup>).
- b. Main Floor - South bedroom: the window is too small for emergency egress. The openable area measured 20 inches x 25 inches, which is less than 0.35 m<sup>2</sup> (3.8 ft<sup>2</sup>).
- c. Basement - NE bedroom: the window is too small for emergency egress. The openable area measured 15.5 inches x 13.25 inches, which is less than 0.35 m<sup>2</sup> (3.8 ft<sup>2</sup>).
- d. Basement - East basement bedroom: the window is too small for emergency egress. The openable area measured 9.75 inches x 12 inches, which is less than 0.35 m<sup>2</sup> (3.8 ft<sup>2</sup>).
- e. There is no handrail installed along the basement staircase.
- f. The heating vent register cover along the basement staircase leading to the back door is not properly installed posing a potential tripping hazard.

**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. Main Floor - West bedroom: the window is too small for emergency egress. The openable area measured 20 inches x 25 inches, which is less than 0.35 m<sup>2</sup> (3.8 ft<sup>2</sup>). This is in contravention of Section 3(b)(ii) of the Minimum Housing and Health standards which states that windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8 ft<sup>2</sup>), with no dimension less than 380 mm (15”).
- b. Main Floor - South bedroom: the window is too small for emergency egress. The openable area measured 20 inches x 25 inches, which is less than 0.35 m<sup>2</sup> (3.8 ft<sup>2</sup>). This

is in contravention of Section 3(b)(ii) of the Minimum Housing and Health standards which states that windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15").

- c. Basement - NE bedroom: the window is too small for emergency egress. The openable area measured 15.5 inches x 13.25 inches, which is less than 0.35 m<sup>2</sup> (3.8 ft<sup>2</sup>). This is in contravention of Section 3(b)(ii) of the Minimum Housing and Health standards which states that windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15").
- d. Basement - East basement bedroom: the window is too small for emergency egress. The openable area measured 9.75 inches x 12 inches, which is less than 0.35 m<sup>2</sup> (3.8 ft<sup>2</sup>). This is in contravention of Section 3(b)(ii) of the Minimum Housing and Health standards which states that windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15").
- e. There is no handrail installed along the basement staircase. This 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. The heating vent register cover along the basement staircase leading to the back door is not properly installed posing a potential tripping hazard. This is in contravention of Section 5(2) of the Housing Regulation 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.
- g. Main floor – East bedroom: the interior window pane is broken with potential exposure to shards of glass that could cause a laceration hazard. 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.
- h. Main floor kitchen: the laminate countertop is in disrepair. The corner seam of the countertop between the sink and stove is swollen and not waterproof. This is in contravention of Section 14(a)(iii) of the Minimum Housing and Health Standards which states that every housing premises shall be provided with a food preparation area, which includes a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.
- i. Basement kitchen: the kitchen sink faucet is loose at the base. This is in contravention of Section 6(a) of the Minimum Housing and Health Standards which states that the plumbing system, including drains, fixtures shall be maintained in a proper operating condition.
- j. Main floor bathroom: the handle/knob for the shower/bathtub faucet is missing. This is in contravention of Section 6(a) of the Minimum Housing and Health Standards which

states that the plumbing system, including drains, fixtures shall be maintained in a proper operating condition.

- k. Daylight was visible around the back entrance door. 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.
- l. Effective insect screens are missing on openable windows. 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

**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 August 1, 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. Ensure all bedroom windows throughout have unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8 ft<sup>2</sup>), with no dimension less than 380 mm (15 in.).
  - b. Install handrails along the basement staircase. A handrail is required on stairs having more than 3 risers. The handrail must be graspable and installed 31.5 – 38 inches, measured vertically from the leading edge of the stair tread.
  - c. Reinforce the heating vent cover in the basement stairwell so it does not pose a potential tripping hazard and repair the floor covering around the heating vent cover.
  - d. Repair or replace the main floor East bedroom window so that it is in good repair and double-paned.
  - e. Repair the main floor kitchen laminate countertop so that it is waterproof and can be easily cleaned.
  - f. Repair or replace the basement kitchen sink faucet so that it is in good repair.
  - g. Ensure the main floor bathtub/shower faucet is supplied with a proper knob/handle.
  - h. Improve weatherproofing around the back entrance door so daylight is no longer visible.

- i. Install effective insect screens on all openable windows where required.
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, June 27, 2025

Confirmation of a verbal order issued to the owner representative, Sameer Shaikh on June 27, 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](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>

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