

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

**To:** Mohammed Rafiq  
"the Owner"

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
15715 104 Avenue NW Edmonton, Alberta T5P 4P5

**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. There was no working smoke alarm present at the time of inspection.
- b. There was no hot water supplied to the home.
- c. One of the bedroom windows was cracked and broken.
- d. The front door to the home was significantly cracked and damaged (specifically surrounding the locking mechanism).
- e. The wood along the balcony was rotted and damaged in several places.
- f. Finishes throughout the home were damaged and in disrepair, including: the transition strip between the living room and kitchen, the glass along the pantry door (which was cracked and broken), the tiles at the front entrance to the home, the paint along the handrail to the upstairs (near the entrance), the walls in the upstairs hallway, the walls of the upstairs bedrooms, the tiles in the ensuite bathroom, the door to the upstairs bathroom, the casing around the bathroom door, the caulking around the shower in the upstairs bathroom (which was missing), and the living room walls.
- g. The electrical outlets in the front bedroom were not in operation.
- h. The kitchen inside of the kitchen cabinet (below the sink was damaged).
- i. The kitchen sink faucet was in disrepair at the time of inspection.
- j. The bathroom cupboards within the ensuite bathroom were damaged.
- k. The openable windows throughout the home did not have insect screens present.

**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 no working smoke alarm present at the time of inspection. 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.”*

- b. There was no hot water supplied to the home. 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.”*
- c. One of the bedroom windows was cracked and broken. 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.”*
- d. The front door to the home was significantly cracked and damaged (specifically surrounding the locking mechanism). This is in contravention of Section 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.”*
- e. The wood along the balcony was rotted and damaged in several places. This is in contravention of Section 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.”*
- f. Finishes throughout the home were damaged and in disrepair, including: the transition strip between the living room and kitchen, the glass along the pantry door (which was cracked and broken), the tiles at the front entrance to the home, the paint along the handrail to the upstairs (near the entrance), the walls in the upstairs hallway, the walls of the upstairs bedrooms, the tiles in the ensuite bathroom, the door to the upstairs bathroom, the casing around the bathroom door, the caulking around the shower in the upstairs bathroom (which was missing), and the living room walls. 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.”*
- g. The electrical outlets in the front bedroom were not in operation. 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.”*
- h. The kitchen inside of the kitchen cabinet (below the sink) was damaged. This is in contravention of Section 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.”*
- i. The kitchen sink faucet was in disrepair at the time of inspection. 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.”*

- j. The bathroom cupboards within the ensuite bathroom were damaged. This is in contravention of Section 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.”*
- k. The openable windows throughout the home did not have insect screens present. 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 June 23, 2023.
- 2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Install a working smoke alarm between the sleeping areas of the suite and the remainder of the suite. Ensure the smoke alarm is maintained in proper operating condition and in compliance with the manufacturer’s recommendations.
  - b. Repair the plumbing system to ensure the suite is consistently supplied with hot water between 46 and 60 degrees Celsius.
  - c. Replace the broken bedroom window.
  - d. Replace the front door to the home. Repair the door frame surrounding the front door to ensure the door is capable of being closed and secured.
  - e. Remove and replace the rotted wood along the balcony.
  - f. Repair the damaged finishes in the suite, including: the transition strip between the living room and kitchen, the glass along the pantry door (which was cracked and broken), the tiles at the front entrance to the home, the paint along the handrail to the upstairs (near the entrance), the walls in the upstairs hallway, the walls of the upstairs bedrooms, the tiles in the ensuite bathroom, the door to the upstairs bathroom, the casing around the bathroom door, the caulking around the shower in the upstairs bathroom (which was missing), and the living room walls.
  - g. Repair the electrical outlets in the front bedroom to ensure they are maintained in proper, operating condition.
  - h. Remove and replace the damaged materials in the kitchen cabinet below the sink.
  - i. Repair/replace the kitchen sink faucet.
  - j. Repair/replace the cupboards within the ensuite bathroom.

- k. Install insect screens on each openable window within the suite. If the insect screens are installed in sleeping spaces, ensure the insect screens do not impede egress.
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, May 19, 2023.

Confirmation of a verbal order issued to Mohammed Rafiq on May 19, 2023.

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