

**ORDER OF AN EXECUTIVE OFFICER
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE**

To: **Navjot Chaudhary**
“the Owner”

Vikramjit Chaudhary
“the Owner”

Andy Sandhu
“the Property Manager”

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

RE: Those housing premises located in Leduc County, Alberta and municipally described as:
24036 Township Road 505

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 house did not have a supply of potable hot or cold running water. The cistern supply was frozen and located in an uninsulated shed.
- b. The central heating furnace was not operational and the wall thermostat had been removed. Interior house temperatures were measured at -4 and 4.4 degrees Celsius.
- c. Electric space heaters were being used as sole source of heat for one room in the house.
- d. Smoke detectors in the hallways on the main level and second storey were tested and found inoperable.
- e. The exterior doors located in the hallway leading to the basement and in the living room do not lock.
- f. The exterior doors located in the hallway leading to the basement and the front entry door do not have adequate weather stripping. There are large visible gaps when the doors are closed.
- g. The floor was deteriorated around the exterior door in the hallway leading to the basement.
- h. The staircase leading to the basement is in disrepair, with signs of water damage and rot.
- i. The stairwell ceiling shows signs of water damage, mould like substance, and deteriorating building materials.
- j. A window in the main floor northwest bedroom does not remain open.
- k. A window in the main floor northwest bedroom is cracked.
- l. A window in the hallway near the washing machine is not properly installed and not weatherproof.

- m. The foundation was observed to have several large cracks with signs of water infiltration and appears to bow, which was visible when entering the basement.
- n. In the kitchen there were large cracks in the ceiling and sections of wallcovering were missing exposing bare wood.
- o. The bathroom had sections of floor-covering missing exposing bare concrete.

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 house did not have a supply of potable hot or cold running water. The cistern supply was frozen and located in an uninsulated shed. 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.”*
- b. The central heating furnace was not operational and the wall thermostat had been removed. Interior house temperatures were measured at -4 and 4.4 degrees Celsius. This is in contravention of **Section 8(a) of the 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; (i) at least 22°C(71°F).”*
- c. Electric space heaters were being used as a sole source of heat for one room in the house. This is in contravention of **Section 8(c) of the Minimum Housing and Health Standards**, which states that: *“Cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room.”*
- d. Smoke detectors in the hallways on the main level and second storey were tested and found to be inoperable. This is in contravention of **Section 12(a) of the Minimum Housing and Health Standards**, which states that: *“Smoke alarms shall be operational and in good repair at all times.”*
- e. The exterior doors located in the hallway leading to the basement and in the living room do not lock. This is in contravention of **Section 3(a) of the Minimum Housing and Health Standards**, which states that: *“Exterior windows and doors shall be capable of being secured.”*
- f. The exterior doors located in the hallway leading to the basement and the front entry door do not have adequate weather stripping. There are large visible gaps when the doors are closed. This is in contravention of **Section 2(a)(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 floor was deteriorated around the exterior door in the hallway leading to the basement. 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.”*
- h. The staircase leading to the basement is in disrepair, with signs of water damage and rot. 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 stairwell ceiling shows signs of water damage, mould like substance, and deteriorating building materials. 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.”*

- j. A window in the main floor northwest bedroom does not remain open. This is in contravention of **Section 3(b)(i) of the Minimum Housing and Health Standards**, which states that: *“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.”*
- k. A window in the main floor northwest bedroom is cracked. 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. A window in the hallway near the washing machine is not properly installed and not weatherproof. 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.”*
- m. The foundation was observed to have several large cracks with signs of water infiltration and appeared to bow, which was visible when entering the 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.”*
- n. In the kitchen there were large cracks in the ceiling and sections of wallcovering were missing, exposing bare wood. This is in contravention of **Section 5(b) of the Minimum Housing and Health Standards**, which states that: *“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.”*
- o. The bathroom had sections of floorcovering missing exposing bare concrete. 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.”*

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Unfit for Human Habitation**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the occupants vacate the above noted premises on or before January 31, 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. Provide a potable water system, verified by a bacteriological drinking water sample analyzed by an accredited lab, that can maintain hot and cold running water throughout the year.
 - b. Ensure the heating facility(ies) are functional, in good working condition, and capable of safely heating all habitable rooms, bathrooms and toilet rooms to a temperature of at least 22 degrees Celsius.
 - c. Ensure smoke alarms are operational and in good repair.

- d. Ensure exterior door have locking mechanisms that are operational and in good repair.
 - e. Repair exterior doors to maintain a weatherproof condition.
 - f. Remove deteriorated/rotting building materials; repair or replace floor near the exterior door leading to the basement.
 - g. Remove deteriorated/rotting building materials, prevent water infiltration and repair or replace the stairs leading to the basement.
 - h. Remove deteriorated/rotting building materials, prevent water infiltration and repair or replace the ceiling in the stairwell.
 - i. Repair or replace the window in the northwest bedroom so that it remains open without the use of tools or special knowledge.
 - j. Repair the window in the hallway next to the washing machine to ensure it is weatherproof.
 - k. Consult a qualified contractor/engineer to assess and make recommendations for repair or replacement of the foundation to prevent water infiltration and ensure structural stability. Obtain necessary building and/or safety code permits through Leduc County. Provide documentation to this office to verify compliance.
 - l. Repair walls and ceiling in the kitchen so they are in good repair and can be easily cleaned.
 - m. Repair or replace floor covering in the bathroom so it is in good repair and can be easily cleaned.
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 vacant and secure from unauthorized entry.

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 Leduc, Alberta, February 1, 2023

Confirmation of a verbal order issued to **Andy Sandhu** on January 31, 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
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>