

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

**To:** **Sukha Singh Randhawa**  
**Parminder Kaur Randhawa**  
"the Owner"

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
2519-151 A Avenue Edmonton, Alberta

**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 exterior shingles were curling and lifting. There was evidence of water infiltration from the roof into the main floor livingroom.
- b. The SW basement bedroom window opens into a window well. The distance between the window and the window well is 15 inches impeding emergency egress.
- c. The interior window pane for the SE basement bedroom window was broken.
- d. The north exterior tiled staircase next to the garage was missing a handrail.
- e. The interior staircase leading from the main floor to the basement was missing a handrail.
- f. The basement staircase had uneven rises and runs.
- g. There were unfinished walls and ceilings throughout the premises.
- h. The SW basement sump pump was not functioning, the pump was not plugged in and was filled with water.
- i. There was a hole in the floor under the SW basement staircase that was filled with water. There was a sump pump located on top of the cover that was not functioning and not plugged in.
- j. There was evidence of efflorescence on the floor under the main floor staircase in the SW area of the basement. This suggested possible water infiltration.
- k. There were no heating ventilation boots in the south addition of the house.
- l. The SW basement bedroom window opens to an interior staircase. This was not adequate for emergency egress.
- m. The carcasses and fecal matter of adult bed bugs, nymphs and instars were noted throughout the premises.
- n. Electrical wires throughout the premises were not capped properly or housed in proper junction boxes.
- o. Visible mould was observed on the wall adjacent to the hot water tank in the basement.
- p. There was evidence of water infiltration. There was staining on the joists of the furnace room and the ventilation boot was rusted.

- q. Numerous windows throughout the premises had the presence of expandable foam insulation.
- r. The space between the spindles of the north interior guardrail leading to the basement stairwell were measured to be of 5-6 inches and the design facilitated climbing.
- s. The garage staircase was missing a handrail and a guard.
- t. The main floor spiral staircase leading to the loft had spindles width that were 17 inches wide.
- u. The second floor/loft window pane was broken.
- v. The SW main floor bedroom window was missing an insect screen.
- w. The main floor bathroom light switch was missing a cover.
- x. The main floor NE/master bedroom bathroom window was missing an insect screen.
- y. The hot water fixture of the main floor (NE) master bedroom hand sink was not functional.
- z. The back door was not properly weatherproofed. Daylight was visible around the back exterior door when the door was closed.
- aa. There was a hole on the patio deck that was covered with vinyl flooring.

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, the Minimum Housing and Health Standard exist in and about the above noted premises, namely:

- a. The exterior shingles were curling and lifting. There was evidence of water infiltration from the roof into the main floor livingroom which is in contravention of section III(2)(a) of the Minimum Housing and Health Standards which states that: the roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- b. The SW basement bedroom window opens into a window well. The distance between the window and the window well is 15 inches impeding emergency egress which is in contravention of section (5)(1) 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.
- c. The interior window pane of the SE basement bedroom window was broken which is in contravention of section III(2)(b)(i) of the Minimum Housing and Health Standards which states that: all windows shall be maintained in good repair, free of cracks and weatherproof.
- d. The north exterior tiled staircase next to the garage was missing a handrail which is in contravention of section III(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.
- e. The interior staircase leading from the main floor and to the basement was missing a handrail which is in contravention of section III(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 basement staircase had uneven rises and runs which is in contravention of section III(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.
- g. There were unfinished walls and ceilings throughout the premises which is in contravention of section III(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.
  - h. The SW basement sump pump was not functioning, the pump was not plugged in and was filled with water which is in contravention of section III(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.
  - i. There was a hole in the floor under the SW basement staircase that was filled with water. There was a sump pump located on top of the cover that was not functioning and not plugged in which is in contravention of section IV(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 including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage hold tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
  - j. There was evidence of efflorescence on the floor under the main floor staircase in the SW area of the basement. This suggested possible water infiltration which is in contravention of section III(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.
  - k. There were no heating ventilation boots in the south addition of the house which is in contravention of section 3(1)(b)(ii) of the Housing Regulation which states that: an owner shall ensure that the occupants of the housing premises are supplied with adequate heating facilities that are capable of maintaining a habitable indoor temperature, if the housing premises are used or intended for use during all or part of the period from September 1 in one year until May 1 in the following year.
  - l. The SW basement bedroom window opens to an interior staircase. This was not adequate for emergency egress which is in contravention of section III(3)(b)(i) 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.
  - m. The carcasses and fecal matter of adult bed bugs, nymphs and instars were noted throughout the premises which is in contravention of section V(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.
  - n. Electrical wires throughout the premises were not capped properly or housed in proper junction boxes which is in contravention of section IV(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.
  - o. Visible mould was observed on the wall adjacent to the hot water tank in the basement which is in contravention of section 5(1) 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 and condition that may hinder in any way the prevention or suppression of disease.
  - p. There was evidence of water infiltration. There was staining on the joists of the furnace room and the ventilation boot was rusted which is in contravention of section III(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.
- q. Numerous windows throughout the premises had the presence of expandable foam insulation which is in contravention of section III(2)(b)(i) which states that: all windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof.
  - r. The space between the spindles of the north interior guardrail leading to the basement stairwell were measured to be of 5-6 inches and the design facilitated climbing which is in contravention of section III(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.
  - s. The garage staircase was missing a handrail and a guard which is in contravention of section III(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.
  - t. The main floor spiral staircase leading to the loft had spindles width that were 17 inches wide which is in contravention of section III(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.
  - u. The second floor/loft window pane was broken which is in contravention of section III(2)(b)(i) of the Minimum Housing and Health Standards which states that: all windows shall be maintained in good repair, free of cracks and weatherproof.
  - v. The SW main floor bedroom window was missing an insect screen which is in contravention of section III(2)(b)(iii) 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.
  - w. The main floor bathroom light switch was missing a cover which is in contravention of section IV(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.
  - x. The main floor NE/master bedroom bathroom window was missing an insect screen which is in contravention of section III(2)(b)(iii) 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.
  - y. The hot water fixture of the main floor (NE) master bedroom hand sink was not functional which is in contravention of section IV(6)(c) of the Minimum Housing and Health Standards which states that: all plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
  - z. The back door was not properly weatherproofed. Daylight was visible around the back exterior door when the door was closed which is in contravention of section III(2)(b)(i) which states that: all windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof.
  - aa. There was a hole on the patio deck that was covered with vinyl flooring which is in contravention of section III(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.

**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 August 15, 2018.**
- 2. That the owner undertake and diligently pursue the completion of the following work in and about the above noted premises namely:**
  - a. Retain the services of a professional roofer to repair or replace roof. The roofer must submit a written report to the Environmental Public Health Department with Alberta Health Services. Ensure the roof and exterior cladding of walls are maintained in a waterproof, windproof and weatherproof condition.
  - b. Conduct all necessary repairs to all bedroom windows to meet egress requirements. 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 must have at least one outside window which may be opened from the inside without the use of tools or special knowledge. As per the Alberta Building Code, ensure that the clearance between the window and the window well is at least 550 mm (21.7 inches). Alternatively, do not allow the basement bedrooms to be used for sleeping purposes. You are responsible for monitoring your tenants to ensure compliance.
  - c. Ensure that all exterior windows and doors are maintained in good repair, free of cracks and weatherproof. Install weatherstripping around the back exterior door.
  - d. Conduct all necessary repairs to the interior and exterior staircases. Install handrails where required. 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.
  - e. Ensure that all walls, windows, ceilings, floors, and floor coverings are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean
  - f. Retain the services of a professional qualified plumber to repair all septic pumps and ensure that the basements, cellars or crawl spaces are structurally sound, maintained in good repair and free from water infiltration and accumulation. The qualified plumber must submit a written report to include a complete plumbing inspection of the premises to the Environmental Public Health Department with Alberta Health Services.
  - g. Ensure that plumbing system and the sanitary drainage system or private sewage disposal system including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage hold tanks, septic tanks and the disposal system are maintained in a proper operating condition.

- h. As the potable water supply for the premises is supplied by a cistern, microbial testing of the of the water is required. Provide the report to the Environmental Public Health Department with Alberta Health Services.
  - i. Supply heat to the south addition of the housing structure. Retain the services of a qualified Heating, Ventilation and Air Conditioning professional. The HVAC professional must submit a written report to the Environmental Public Health Department with Alberta Health Services. Ensure that all heating facilities within the premises are properly installed and maintained in good working condition, and be *capable* of safely and adequately heating all habitable rooms within the building.
  - j. Retain the services of a certified pest control operator to treat the bed bug infestation until eradication of the pests. Provide copies of all reports to the Environmental Public Health Department with Alberta Health Services.
  - k. Ensure that all outlets, switches and fixtures are properly installed and maintained in a good and safe working condition. Due to various areas of exposed electrical wiring, a full assessment of the electrical is required. This assessment is to be performed by a qualified master electrician with a license to operate in the City of Edmonton. Copies of this report must be supplied to Alberta Health Services
  - l. Remove all water damaged and mould contaminated materials and repair all sources of water infiltration. Because this home was constructed in 1975, the presence of asbestos within building materials is likely, and therefore precautions must be taken. Asbestos-containing materials (ACM) must be managed in accordance with the current "Alberta Asbestos Abatement Manual". Where ACMs are identified and pose a risk to the general public, an "Environmental Consultant" or contractor competent/experienced with asbestos identification and abatement procedures is required to assess any areas where ACMs or associated fibres may be located for the purposes of positively identifying and developing a remediation plan. Remediation is then required to be conducted in accordance with the current "Alberta Asbestos Abatement Manual". Remediation measures may include one or more of the following: i. Removal, ii. Encapsulation, iii. Enclosure, iv. Implementation of Management Plan, and v. Other measures as determined by an Executive Officer. You are required to provide a copy of all reports to the Environmental Public Health Department with Alberta Health Services.
  - m. Install insect screens where required. Ensure 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 are supplied with effective screens
  - n. Install the main floor bathroom light switch cover.
  - o. Repair all plumbing fixtures where required. Ensure that all plumbing fixtures are serviceable, free from leaks, trapped and vented to the outside.
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 Edmonton, Alberta, July 31, 2018.

Confirmation of a verbal vacate order was provided to Laura-Lye Burdeyny on July 30, 2018

\_\_\_\_\_ (Original Signed) \_\_\_\_\_

Christina Morrison, B.Sc., BEH(AD), CPHI(C)  
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, Telus Plaza 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: <http://www.health.alberta.ca/about/PHAB.html>

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or [www.qp.gov.ab.ca](http://www.qp.gov.ab.ca).

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or [www.qp.gov.ab.ca](http://www.qp.gov.ab.ca).

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)

Edmonton • Suite 700 • Environmental Public Health

10055 – 106 Street Edmonton, Alberta, Canada T5J 2Y2

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