

ORDER OF AN EXECUTIVE OFFICER

To: Jutt Holdings INC. Farooq Jutt Tim Gardner
"the Owner" "the Owner" "the Owner"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:

5510 118 Avenue NW Edmonton, AB T5W 1C7

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 an ongoing cockroach infestation occurring within the building. Live and dead cockroaches were observed throughout multiple units in the building.
- b. There was visible mold growth present along the following surfaces: the ceiling of the kitchen and bathroom of Suite 101, the baseboards within the basement of Suite 103, the baseboards within the basement of Suite 104, the walls within the basement of Suite 105, and the walls within the basement of Suite 107.
- c. A number of the walls, ceilings, and flooring within the suites were damaged, including: the walls within Suite 100 (many of which had been repaired, but not yet painted), the ceiling of the kitchen/bathroom in Suite 101 (water damaged), the wall behind the toilet within the upstairs bathroom of Suite 101 (damaged), the wall within the main floor bathroom of Suite 101 (which had a large hole present), the flooring in the kitchen of Suite 103 (which had holes present in the flooring material), the walls within Suite 104 (which had holes present within the surface of the walls), the bathroom flooring within Suite 104 (which had gaps present), the drywall within the basement of Suite 104 (water damaged), the baseboards in the kitchen and bedroom of Suite 105 (which were missing in a number of places), the flooring within the upstairs bathroom of Suite 105 (burns were present in the material), the walls within the left bedroom of Suite 106 (which had holes present), the ceiling adjacent to the kitchen/main floor bathroom of Suite 107 (water damaged), the walls within the bedrooms of Suite 108 (holes were present), and the baseboards within the bedrooms of Suite 108 (which were missing).
- d. The door for the oven in the kitchen of Suite 100 was missing.
- e. The bathroom vanity in Suite 100 was damaged. The vanity was missing drawers, a portion of the countertop had holes present, and a portion of the countertop was repaired using an unfinished plywood material.
- f. The stove in Suite 106 was not in operation. The manager indicated the stove had been intentionally disconnected.
- g. The kitchen counters in several suites were damaged. This included: the kitchen counter in Suite 100 (number of spots that were not smooth and easy to clean), the kitchen counter in Suite 105 (number of spots that were not smooth and easy to clean), and the kitchen counter in Suite 106 (the surface of which was not smooth, impervious to moisture, and easy to clean).

- h. The mattresses within the Northeast bedroom of Suite 102 and in the Northwest bedroom of Suite 105 were soiled and torn. The mattresses are provided by the management of the site.
- i. The interior of the cupboards below the kitchen sink in Suites 100, 104, 105, 106, and 107 were damaged. As a result, the interior surfaces were no longer smooth and easy to clean.
- j. There was evidence of a sewage back-up around the drain in the basement of Suites 104 and 105. The manager indicated this was from a previous back-up that had since been addressed.
- k. The locks for the common area window and in the larger bedroom of Suite 102 were not in operation at the time of inspection.
- l. The handrail and back entry guardrail were very loose and unsecured to the material below.
- m. One of the power outlets in the basement of Suite 100 was unsecured to the wall.
- n. The light switch at the bottom of the stairs (leading to the second floor) in Suite 100 was melted. The electrical outlet in the Northwest bedroom in Suite 105 was heavily damaged.
- o. One of the windows along the second floor in Suite 100 was single paned.
- p. The thermostat along the wall in Suite 101 had been removed. As a result, there was exposed wiring present within the space where the unit had previously been installed. The intercom unit in Suite 103 had been torn of the wall. As a result, there was exposed wiring present within the space where the unit had previously been installed.
- q. The seal between the bathtub and the wall was worn in the upstairs bathroom of Suite 101.
- r. The trim around the front door of Suite 101 was damaged.
- s. The main floor toilet in Suite 102 was continuously running at the time of inspection.
- t. The left knob of the kitchen faucet in Suite 105 was missing.
- u. There was water leaking from one of the pipes in the basement of Suite 103 (specifically the pipe located adjacent to the electrical panel).
- v. The door to the bathroom in Suite 103 had a large hole present.
- w. The main floor bathroom faucet in Suite 101 was dripping at the time of inspection.
- x. The mechanical ventilation fan in the main floor washroom of Suite 103 was not operating properly at the time of inspection. The unit was very loud when turned on and the unit did not appear to be pulling air.
- y. The top of the toilet tank in the bathroom of Suite 104 was broken.
- z. The window in the left bedroom of Suite 104 was cracked.
- aa. The closet within the Northwest bedroom was being used for sleeping purposes. There was no window or door exiting directly to the exterior of the building within the space.

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 an ongoing cockroach infestation occurring within the building. Live and dead cockroaches were observed throughout multiple units in the building. This is in contravention of Section 16 of the Minimum Housing and Health Standards, which states that "The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition."
- b. There was visible mold growth present along the following surfaces: the ceiling of the kitchen and bathroom of Suite 101, the baseboards within the basement of Suite 103, the baseboards within the basement of Suite 104, the walls within the basement of Suite 105, and the walls within the basement of Suite 107. This is in contravention of Section 5(2) of the Alberta Housing Regulation (AR 173/1999), 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. A number of the walls, ceilings, and flooring within the suites were damaged, including: the walls within Suite 100 (many of which had been repaired, but not yet painted), the ceiling of the kitchen/bathroom in Suite 101 (water damaged), the wall behind the toilet within the upstairs bathroom of Suite 101 (damaged), the wall within the main floor bathroom of Suite 101 (which had a large hole present), the flooring in the kitchen of Suite 103 (which had holes present in the flooring material), the walls within Suite 104 (which had holes present within the surface of the walls), the bathroom flooring within Suite 104 (which had gaps present), the drywall within the basement of Suite 104 (water damaged), the baseboards in the kitchen and bedroom of Suite 105 (which were missing in a number of places), the flooring within the upstairs bathroom of Suite 105 (burns were present in the material), the walls within the left bedroom of Suite 106 (which had holes present), the ceiling adjacent to the kitchen/main floor bathroom of Suite 107 (water damaged), the walls within the bedrooms of Suite 108 (holes were present), and the baseboards within the bedrooms of Suite 108 (which were missing). 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.”
- d. The door for the oven in the kitchen of Suite 100 was missing. This 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:...(iv) 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 degrees C. (40°F).”
- e. The bathroom vanity in Suite 100 was damaged. The vanity was missing drawers, a portion of the countertop had holes present, and a portion of the countertop was repaired using an unfinished plywood material. 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. The stove in Suite 106 was not in operation. The manager indicated the stove had been intentionally disconnected. This 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:... (iv) 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 degrees C. (40°F).”
- g. The kitchen counters in several suites were damaged. This included: the kitchen counter in Suite 100 (number of spots that were not smooth and easy to clean), the kitchen counter in Suite 105 (number of spots that were not smooth and easy to clean), and the kitchen counter in Suite 106 (the surface of which was not smooth, impervious to moisture, and easy to clean). 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:... (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned;”

- h. The mattresses within the Northeast bedroom of Suite 102 and in the Northwest bedroom of Suite 105 were soiled and torn. The mattresses are provided by the management of the site. This is in contravention of Section 5(2) of the Alberta Housing Regulation (AR 173/1999), 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.”
- i. The interior of the cupboards below the kitchen sink in Suites 100, 104, 105, 106, and 107 were damaged. As a result, the interior surfaces were no longer smooth and easy to clean. This is in contravention of Section 14(a)(ii) of the Minimum Housing and Health Standards, which states that “Every housing premises shall be provided with a food preparation area, which includes:...(ii) cupboards or other facilities suitable for the storage of food.”
- j. There was evidence of a sewage back-up around the drain in the basement of Suites 104 and 105. The manager indicated this was from a previous back-up that had since been addressed. This is in contravention of Section 16 of the Minimum Housing and Health Standards, which states that “The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition.”
- k. The locks for the common area window and in the larger bedroom of Suite 102 were not in operation at the time of inspection. 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.”
- l. The handrail and back entry guardrail were very loose and unsecured to the material below. This is in contravention of Section 3(c) 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.”
- m. One of the power outlets in the basement of Suite 100 was unsecured to the wall. 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.”
- n. The light switch at the bottom of the stairs (leading to the second floor) in Suite 100 was melted. The electrical outlet in the Northwest bedroom in Suite 105 was heavily damaged. 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.”
- o. One of the windows along the second floor in Suite 100 was single paned. 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.”
- p. The thermostat along the wall in Suite 101 had been removed. As a result, there was exposed wiring present within the space where the unit had previously been installed. The intercom unit in Suite 103 had been torn of the wall. As a result, there was exposed wiring present within the space where the unit had previously been installed. 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.”

- q. The seal between the bathtub and the wall was worn in the upstairs bathroom of Suite 101. This is in contravention of Section 5(a) 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."
- r. The trim around the front door of Suite 101 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."
- s. The main floor toilet in Suite 102 was continuously running at the time of inspection. This 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."
- t. The left knob of the kitchen faucet in Suite 105 was missing. This 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."
- u. There was water leaking from one of the pipes in the basement of Suite 103 (specifically the pipe located adjacent to the electrical panel). This 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."
- v. The door to the bathroom in Suite 103 had a large hole present. 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."
- w. The main floor bathroom faucet in Suite 101 was dripping at the time of inspection. This 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."
- x. The mechanical ventilation fan in the main floor washroom of Suite 103 was not operating properly at the time of inspection. The unit was very loud when turned on and the unit did not appear to be pulling air. This is in contravention of Section 7(c) of the Minimum Housing and Health Standards, which states that "All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation."
- y. The top of the toilet tank in the bathroom of Suite 104 was broken. This 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.”

- z. The window in the left bedroom of Suite 104 was 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.”
- aa. The closet within the Northwest bedroom was being used for sleeping purposes. There was no window or door exiting directly to the exterior of the building within the space. 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.”

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. Hire the services of a licensed, pest control operator to treat the infestation within the building. Provide copies of the reports generated by the licensed pest control operator to Alberta Health Services (AHS) Environmental Public Health.
 - b. Remove the visible surface mold from the areas listed in b. above. Ensure the source of moisture leading to mold growth in these areas is abated.
 - c. Repair the finishes noted in Section c. above. Ensure all finishes are smooth, impervious to moisture, and easy to clean.
 - d. Replace the missing oven door in the kitchen of Suite 100.
 - e. Repair the bathroom vanity in the bathroom of Suite 100. Ensure all surfaces along the vanity are smooth, impervious to moisture, and easy to clean.
 - f. Repair/reconnect the stove/oven in Suite 106. Ensure the stove is maintained in proper, operating condition.
 - g. Repair the kitchen counters in Suites 100, 105, and 106. Ensure the countertops are finished to render the surface smooth, impervious to moisture, and easy to clean.
 - h. Replace the mattresses within the Northeast bedroom of Suite 102 and the Northwest bedroom of Suite 105.
 - i. Repair the interior of the cupboards below the kitchen sink in Suites 100, 104, 105, 106, and 107. Ensure the interior surface of the cupboard is smooth, impervious to moisture, and easy to clean.
 - j. Clean the remains of the sewage back-up in the basement of Suites 104 and 105.
 - k. Replace the locks for the common area window and in the larger bedroom of Suite 102 to ensure the windows are capable of being secured.
 - l. Repair the handrail and guardrail located at the back entry of the building.
 - m. Repair the power outlet in the basement of Suite 100 and ensure it is properly affixed to the wall.
 - n. Replace the melted light switch at the bottom of the stairs (leading to the second floor) in Suite 100.
 - o. Replace the missing windowpane along the second floor in Suite 100 to ensure the unit is weatherproof.
 - p. Repair the exposed wiring in Suites 101 and 103 to prevent the clients from accessing them.

- q. Replace the missing caulking between the bathtub and the wall in the bathroom of Suite 101.
- r. Replace the damaged trim around the front door.
- s. Repair the main floor toilet in Suite 102 to ensure the toilet is maintained in proper, operating condition.
- t. Replace the left knob of the kitchen faucet in Suite 105.
- u. Repair the leaking pipe in the basement of Suite 103.
- v. Repair or replace the door to the bathroom in Suite 103.
- w. Repair the bathroom faucet for the main floor bathroom in Suite 101.
- x. Repair the mechanical ventilation fan in the bathroom of Suite 103.
- y. Replace the toilet tank lid for the toilet in Suite 104.
- z. Replace the cracked window pane in Suite 104.
- aa. Ensure the closet is no longer used for sleeping purposes (as the space does not meet emergency egress requirements).

2. The work referred to in paragraph 1 shall be completed by January 25, 2024.

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, December 15, 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.

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>

Edmonton • Environmental Public Health

Suite 700, 10055 – 106 Street NW, Edmonton, AB T5J2Y2

www.albertahealthservices.ca/eph.asp