

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

To: Sher Singh Dhaliwal Gulwant K Dhaliwal Harv Dhaliwal
"the Owner" "the Owner" "the Owner"

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

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

555 23 Avenue NW Edmonton, AB T6T 1J1

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 power supplied to the home at the time of inspection. The power meter at the back of the home appeared to be missing. The tenants were utilizing a gas generator to provide limited power to space heaters and small light fixtures.
- b. The temperature within the home measured <22°C. The temperature along the walls in the kitchen space measured between 1 - 4°C.
- c. There was no water being supplied to the home. The occupants of the home indicated they were collecting buckets of water from an exterior cistern. It was unclear what the source of water within the cistern was.
- d. A number of the studs along the loadbearing wall in the basement had been removed.
- e. There was a significant sewage backup present within the basement space.
- f. There were mice droppings present within the basement.
- g. There were no working smoke alarms installed outside of the bedroom spaces within the home.
- h. There was no refrigerator present within the kitchen.
- i. The stove within the kitchen did not appear to be operational.
- j. The two compartment sink within the kitchen was not directly connected to a water supply. The sink was draining into two large buckets located below the sink.
- k. The furnace in the basement appeared to be in disrepair. The bottom of the furnace was rusted and at least one of the panels was missing.
- l. The walls, ceilings, and flooring throughout the home were damaged and unfinished.
- m. There was open wiring present throughout the home.
- n. There were no cupboards within the kitchen to facilitate safe storage of food.
- o. The windows within the bedrooms were covered over with blankets/insulation. A number of bedroom windows were also frozen to the point where they could no longer be opened. As a result, the bedroom windows did not meet emergency egress requirements.
- p. The door lock along the front door was in disrepair.

- q. The handrail to the basement was missing.

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 power supplied to the home at the time of inspection. The power meter at the back of the home appeared to be missing. The tenants were utilizing a gas generator to provide limited power to space heaters and small light fixtures. This is in contravention of Section 8(d) of the Minimum Housing and Health Standards, which states that “Every owner must ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant.”
- b. The temperature within the home measured <22°C. The temperature along the walls in the kitchen space measured between 1 - 4°C. 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), or (i) maintained at a temperature of at least 22°C(71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.”
- c. There was no water being supplied to the home. The occupants of the home indicated they were collecting buckets of water from an exterior cistern. It was unclear what the source of water within the cistern was. This is in contravention of Sections 8(d) and 9 of the Minimum Housing and Health Standards, which state that “Every owner must ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant.”, and furthermore 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.”
- d. A number of the studs along the loadbearing wall in the basement had been removed. This is in contravention of Section 1(a, d) of the Minimum Housing and Health Standards, which states that “The housing premises shall be structurally sound... (d) Repairs or modifications required by the Executive Officer of any structural element of the housing premises may require the design and/or supervision of a professional structural engineer or a Safety Codes Officer (Building Discipline).”
- e. There was a significant sewage backup present within the basement space. This is in contravention of Section 6(a, c) of the Minimum Housing and Health Standards, which states that “(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...(c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”
- f. There were mice droppings present within the basement. This is in contravention of Section 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.”
- g. There were no working smoke alarms installed outside of the bedroom spaces within the home. This is in contravention of Section 12(a) 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.”

- h. There was no refrigerator present within the kitchen. This is in contravention of Section 14(a)(iv) of the Minimum Housing and Health Standards, which states that “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).”
- i. The stove within the kitchen did not appear to be operational. This is in contravention of Section 14(a)(iv) of the Minimum Housing and Health Standards, which states that “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).”
- j. The two compartment sink within the kitchen was not directly connected to a water supply. The sink was draining into two large buckets located below the sink. This is in contravention of Section 14(a)(i) and 6(a) of the Minimum Housing and Health Standards, which states that “a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation;”, and furthermore 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.”
- k. The furnace in the basement appeared to be in disrepair. The bottom of the furnace was rusted and at least one of the panels was missing. 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), or (i) maintained at a temperature of at least 22°C(71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.”
- l. The walls, ceilings, and flooring throughout the home were damaged and unfinished. 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.”
- m. There was open wiring present throughout the home. 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. There were no cupboards within the kitchen to facilitate safe storage of food. 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.”
- o. The windows within the bedrooms were covered over with blankets/insulation. A number of bedroom windows were also frozen to the point where they could no longer be opened. As a result, the bedroom windows did not meet emergency egress requirements. 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.”

- p. The door lock along the front door was in disrepair. 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.”
- q. The handrail to the basement was missing. 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.”

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 3, 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. Restore a consistent and safe supply of power to the home.
 - b. Repair the gas supply, furnace, and any applicable parts of the heating system to ensure it is capable of safely providing a temperature of at least 22°C in all habitable rooms.
 - c. Restore a consistent and safe water supply to the home. Provide information to Alberta Health Services Environmental Public Health (AHS EPH) regarding the source of the water in the cistern and connections to the home.
 - d. Hire the services of an APEGA certified structural engineer to assess the modifications to the loadbearing wall in the basement. Conduct repairs to the home as per the direction of engineer. Provide documentation regarding the engineer’s observations and recommendations to AHS EPH.
 - e. Hire the services of a licensed plumber to investigate and repair the cause of the sewage backup within the basement. Provide information to AHS EPH regarding the cause of the backup. Clean and disinfect any impacted areas.
 - f. Hire the services of a licensed pest control professional to treat the mouse infestation within the home. Provide copies of any reports generated by the pest control professional (regarding their options and treatment recommendations) to the undersigned. Continue to retain the services of a licensed pest control professional until the technician indicates the infestation no longer exists.
 - g. Install working smoke alarms between each bedroom space and the remainder of the home.
 - h. Install a properly working refrigerator in the kitchen. The refrigerator must be able to maintain an internal temperature of 4°C.
 - i. Install a properly working stove in the kitchen.
 - j. Install a kitchen sink within the kitchen that is properly connected to a hot and cold water supply and a sanitary sewage disposal system.
 - k. Hire the services of a competent and licensed HVAC technician to conduct repairs to the furnace system. The furnace must be able to safely provide an internal temperature within the home of 22°C. Provide a copy of any reports generated by

the HVAC technician to AHS EPH regarding the observations of the technician and recommendations regarding repair.

- l. Repair the walls, ceilings, and flooring within the home. These surfaces must be maintained in a manner that is smooth, impervious to moisture, and easy to clean.
 - m. Hire the services of a competent and licensed electrician to conduct repairs to the electrical system within the home. Cap and secure any loose/open wires.
 - n. Install cupboards within the kitchen to facilitate safe storage of food.
 - o. Remove any barriers from the windows that prevent emergency egress from the bedroom spaces. This includes removing any ice accumulation and coverings that would require the use of tools or special knowledge.
 - p. Install a working lock along the front door to ensure the home is capable of being secured.
 - q. Install a handrail along the stairs to the basement.
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, December 23, 2024.

Confirmation of a verbal order issued to Harv Dhaliwal on December 18, 2024.

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>