

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

To: Alberta World Ventures Inc.
“the Owner”

Lagan Mital
“the Owner”

Kalpana Mital
“the Owner”

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

RE: Those housing premises located in **Edmonton**, Alberta and municipally described as: **8530 81 Avenue NW**, Plan 1389HW, Block 22, Lot 5

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. Electrical and fire hazards were noted:
 - Electrical outlets throughout the main floor were not grounded, posing a fire hazard.
 - Electrical outlets located next to the kitchen sinks on both the main floor and in the basement were not Ground Fault Circuit Interrupters (GFCIs) posing an electrical shock hazard.
- b. The basement bedrooms did not have proper emergency egresses to allow occupants to escape in emergency situations:
 - The largest window opening in the basement SE bedroom was measured at 12” W X 25” H = 2.0 ft².
 - The openable window in the basement NE bedroom was blocked by a shed.
- c. A smoke alarm was not available in the main floor hallway outside the bedrooms to provide timely fire warnings to occupants.

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. Damaged building materials have been identified:
- Trims on the front and kitchen exterior doors were damaged, exposing insulation and leaving voids around the doors.
 - Door jamb at the front entrance was badly damaged. Mortise on the door jamb could not hold the strike plate.
 - Toe kick on the main floor bathroom vanity was damaged.
- These are in contravention of section 1(c) of the Minimum Housing and Health Standards which states: *“Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”*

- b. Evidence of roof leaks could be seen in three areas on the south side of the house:
- Ceilings in the main floor living room, and SE & SW bedrooms were damaged by water infiltration.
 - A part of the roof deck could be seen through the water damaged ceiling in the main floor SE bedroom. Daylight could be seen through two holes in the roof deck.
 - Wet wood shaving insulation from the attic was noted in the main floor SE bedroom.
- This is in contravention of (2)(a) of the Minimum Housing and Health Standards which states: *“The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”*

- c. Exterior door and window were not in good repair:
- One of the glass panels on the storm door at the kitchen back entrance could not be closed.
 - Window sashes in the main floor living room and NE bedroom could not be shut.
- These are in contravention of section 2(b)(i) of the Minimum Housing and Health Standards which states: *“All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”*

- d. Two of the three windows in the basement SE bedroom were single glazed.
- This is in contravention of section 2(b)(ii) of the Minimum Housing and Health Standards which states: *“In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.”*

- e. Numerous windows were missing insect screens:
- All the windows on the main floor except for two in the kitchen were missing insect screens.
 - Two of the three windows in the basement SE bedroom were missing screens.
 - Five of the seven windows in the basement open areas were missing screens.

This are in contravention of section 2(b)(iii) of the Minimum Housing and Health Standards which states: *“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.”*

- f. Windows in the main floor living room, SE and SW bedrooms could not be secured.

This is in contravention of section 3(a) of the Minimum Housing and Health Standards which states: *“Exterior windows and doors shall be capable of being secured.”*

- g. The basement bedrooms did not have proper emergency egresses:

- The largest window opening in the basement SE bedroom was measured at 12” W X 25” H = 2.0 ft².
- The openable window in the basement NE bedroom was blocked by a shed.

These are in contravention of section 3(b)(i) of the Minimum Housing and Health Standards which states: *“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.”* And section 3(b)(ii) which states: *Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).*

- h. Guards and handrails did not comply with the Alberta Building Code:

- The flight of stairs leading to the back door was missing a guard and a handrail.
- The interior guard on top of the stairs was 31 inches tall.
- The interior guard on top of the stairs had three large openings. The largest opening was measured at 11.25 inches wide by the length of the guard.
- The exterior guard on the west side of the front entrance was wobbly.
- Openings on the guards at the front entrance were greater than 4 inches, some were measured at 6 inches.
- The handrail along the basement stairs did not extend to the entirety of the stairs.

These are in contravention of section 3(c)(i) of the Minimum Housing and Health Standards which states: *“Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.”*

- i. Ceilings throughout the house were in disrepair:

- Ceilings in the main floor living room, SE and SW bedrooms were damaged by water infiltration. The most severe damage was noted in the main floor SE bedroom where the ceiling had an opening of approximately 2.5 ft X 2.5 ft.
- Five large openings were noted in the basement ceilings, i.e., bathroom, hallway, and den.

These are in contravention of section 5 of the Minimum Housing and Health Standards which states: *“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.”*

- j. Bathroom walls and bathtub surrounds were damaged:
- Numerous holes, as large as 3.5 ft X 1.5 ft, were noted in the walls of both bathrooms.
 - The bathtub surround in the main floor bathroom was separating from the walls.
 - Caulking around both bathtubs has deteriorated, the joints were not watertight.
 - Covers behind bathtub faucets were missing, leaving wide openings in the bathtub surrounds.

This are in contravention of section 5(a) of the Minimum Housing and Health Standards which states: “*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.*”

- k. The plumbing system was defective:
- Bathtub faucet in the main floor bathroom was constantly dripping hot water.
 - Bathtub faucet in the main floor bathroom could not deliver hot water to the spout and showerhead.
 - The hot water supply line inside the basement bathroom closet had a tear, causing it to leak profusely when the valve was turned on.
 - A drainpipe was left uncapped after the hand sink had been removed from the basement bathroom.
 - Wastewater from the basement kitchen sinks was seen backing up to the drainage pipe where the bathroom hand sink had been removed.
 - The basement bathtub was missing a faucet handle and an overflow cover.
 - Hot water was constantly dripping from a hose in the utility room.

These are in contravention of section 6(a) of the Minimum Housing and Health Standards which states: “*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.*” And section 6(c) with states: “*All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.*”

- l. The hand sink in the basement bathroom has been removed.

This is in contravention of section 7(b) of the Minimum Housing and Health Standards which states: “*The wash basin should be in the same room as the flush toilet or in close proximity to the door leading directly into the room containing the flush toilet.*”

- m. Bathing facilities were not operational due to defective plumbing.

These is in contravention of section 7a of the Minimum Housing and Health Standards which states: “*The washbasins and bathtub or shower shall be supplied with potable hot and cold running water.*”

- n. The mechanical fan in the main floor bathroom was not working.
This is in contravention of section 7(c) of the Minimum Housing and Health Standards which states: *“All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.”*
- o. Electrical deficiencies were noted:
- Electrical outlets in both bathrooms and the outlet next to the stove were not functional.
 - Light fixture in the main floor SW bedroom was improperly installed.
It was hanging loose from the ceiling by its electrical wire.
- These are in contravention of section 11 of the Minimum Housing and Health Standards which states: *“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.”*
- p. A smoke alarm was not available in the main floor hallway outside the bedrooms to provide timely fire warnings to occupants.
This is in contravention of section 12 of the Minimum Housing and Health Standards which states: *“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.”*
- q. Electrical and fire hazards were noted:
- Electrical outlets throughout the main floor were not grounded, posing a fire hazard.
 - Electrical outlets located next to the kitchen sinks were not Ground Fault Circuit Interrupters (GFCIs) posing an electrical shock hazard.
- These are in contravention of section 5(2) of the Housing Regulation which states: *“No person shall cause or permit any condition in the 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.”*

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 **July 31, 2024**.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Repair or replace the roof to stop it from leaking.
 - b. Repair all the damaged walls and ceilings.

- c. Hire a qualified plumber to diagnose and repair problems in the plumbing system, e.g., leaky water lines, missing and defective plumbing fixtures, open drainage pipes, etc.
 - d. Hire a qualified electrician to ground the electrical system on the main floor, replace electrical outlets next to the kitchen sinks with GFCIs, and repair all defective outlets.
 - e. Repair or replace the storm door at the kitchen back entrance. Glass panels on the storm door could be open and shut easily. An alternative is to remove the storm door.
 - f. Repair or replace the windows in the main floor living room and NE bedroom. Windows intended for ventilation and emergency egress should be able to open and shut easily.
 - g. Install additional sashes to the two single paned windows in the basement SE bedroom. An alternative is to replace both single paned windows.
 - h. Replace all the missing insect screens to prevent flying insects from entering the house.
 - i. Install locking hardware on the windows in the main floor living room, SE & SW bedrooms to ensure they can be secured.
 - j. Replace windows in both basement bedrooms to ensure at least one window in each bedroom complies with the emergency egress requirements.
 - k. Repair, retrofit or replace the guards at the front entrance and on top of the interior stairs to comply with the Alberta Building Code.
 - l. Install a guard and handrail on the flight of stairs leading to the back door to comply with the Alberta Building Code.
 - m. Retrofit or replace the handrail along the basement stairs. It should extend to the entirety of the stairs to comply with the Alberta Building Code.
 - n. Install a hand sink and connect it to the plumbing system in the basement bathroom.
 - o. Repair or replace the mechanical fan in the main floor bathroom.
 - p. Replace the damaged door trims and jamb at the front and kitchen exterior doors.
 - q. Replace the damaged vanity toe kick in the main floor bathroom.
 - r. Install a working smoke alarm in the main floor hallway outside the bedrooms.
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, **July 16, 2024**
Confirmation of a verbal order issued to Lagan Mital on July 5, 2024.

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
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>