

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

To: **Nhi Thi Vu** **Kim-ha Ngoc Nguyen**
 “owner” **“owner”**

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
 9004 122 Avenue NW (Lot 1A, Block 40, Plan 7622182)

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 part of the ceiling in the kitchen that was missing
- b. The entire drywall was missing for the wall adjacent to the stairs leading to the basement.
- c. The entire drywall was missing for the wall in the stairwell leading to the basement
- d. The glass on the stove door was broken
- e. The refrigeration unit was not functioning, it was not plugged in.
- f. There was leaking under the kitchen sink
- g. The bottom of the kitchen sink cabinet had collapsed, water damaged materials and mold were seen
- h. There was a gap between the back of the kitchen counter and the wall this was allowing dirt and debris to collect
- i. There was visible light seen around the back door
- j. The wood around the back door frame was cracked and chipped
- k. There was no front entrance to the home as the front door was boarded up with unfinished plywood
- l. The interior windowpane for the dining room was broken
- m. The front window was single pane and the existing pane was constructed of plexi-glass
- n. There was missing cover plate for the electrical outlet in the main floor bathroom
- o. There were missing window screen throughout the premises
- p. The bathtub facet had a continuous drip
- q. There was a missing window pane in the North bedroom
- r. There was a missing window pane in the Southeast bedroom
- s. The North bedroom window could not be locked
- t. The Southeast bedroom window could not be locked
- u. There were numerous holes with pieces of wood coating missing on the bedroom doors
- v. The smoke alarm on the ceiling in the hallway outside the bedroom was not functioning
- w. Numerous electrical wires were not capped or housed properly in junction boxes
- x. There was no cover for the electrical panel

- y. There were missing doors for the kitchen cupboards
- z. There was a gap between one of the duct vents off the furnace
- aa. There were numerous holes in the walls throughout the premises

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act, Nuisance and General Sanitation Regulation Alberta Regulations 243/2003 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. Items [a, b, c, h and aa] 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 and section III(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.
- b. Items [d and e] is in contravention of section IV(14)(a)(i) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: 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.
- c. Items [f and p] is in contravention of section IV(6)(b) of the Minimum Housing and Health Standards which states that: Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures.
- d. Items [g, j, u and y] 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.
- e. Items [k and l] is in contravention of section III(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.
- f. Item [i] is in contravention of section III(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
- g. Item [m, q and r] is in contravention of section III(2)(b)(ii) of the Minimum Housing and Health Standards which states that: 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.
- h. Item [n, w and x] 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
- i. Items [s and t] is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured
- j. Item [v] is in contravention of section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times

- k. Item [z] is in contravention of section IV(8)(a)(i) 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 at least 22°C (71 F), or 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. Item [o] is in contravention of section III(2)(b)(iii) of the Minimum Housing and Health Standards 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

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 January 31, 2023.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Repair all the missing drywall or holes in the walls and caulk the gap between the counter and the wall in the kitchen, ensure 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.
 - b. Repair or replace the refrigeration unit and the stove. Ensure the premises is supplied with a stove and a refrigerator that are in a safe and proper operating condition
 - c. Repair the leak under the kitchen sink and the dripping faucet for the bathtub, ensure that all fixtures are in proper working conditions
 - d. Remove the bottom of the kitchen sink cupboard and cut out all the moldy materials, repair the door frame for the back exterior door. Repair or replace all the bedroom doors and replace the cupboard doors. Ensure that all building materials that are damaged or show evidence of rot or other deterioration shall be repaired or replaced
 - e. Install a functioning front door and repair the broken dining room window. Ensure that all windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof
 - f. Install or repair the weather proofing for the back exterior door. Ensure that all windows and exterior doors are, free of cracks and weatherproofed
 - g. Install a double windowpane for the front and the bedroom windows. Ensure all housing premises intended for use during the winter months, windows in habitable rooms are 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
 - h. Install a cover plate for the electrical outlet in the main floor bathroom. Repair all exposed electrical wires that are not capped properly or housed in junction boxes. All repairs must be completed by a qualified licensed electrician to include a full assessment of all electrical service in the home, a copy of the report is to be sent

- to Alberta Health Services (AHS) for review. Ensure that all outlets, switches and fixtures are properly installed and maintained in a good and safe working condition
- i. Install locks for the bedroom windows. Ensure that all exterior windows and doors shall be capable of being secured
 - j. Install a functioning smoke alarm on the ceiling in the hallway outside the bedrooms. Ensure that smoke alarms are operational and in good repair at all times
 - k. Repair the ducting vent off the furnace and ensure that the newly installed furnace has been installed properly by contacting the city of Edmonton for a full furnace inspection. Please forward the report to AHS for review.
 - l. Install window screens for all the windows that were missing the window screens by the 15 April 2023. 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 shall be supplied with effective screens.
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, 16 January 2023
Confirmation of a verbal order issued to Kim Nguyen, 12 January 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 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 King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

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 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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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www.albertahealthservices.ca/eph.asp