

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

**To:** David Chan                      Eva Chan  
          "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:  
9525 Donnell Road NW

**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 front bedroom window was broken and boarded, inhibiting emergency egress.
- b. The back bedroom window was broken and boarded, inhibiting emergency egress.
- c. The front living room window was broken and boarded.
- d. The plastic bathtub surround was in disrepair: the plastic shelf was broken and joints required resealing in places.
- e. The toilet was leaking from its base. There was a pool of water coming from underneath the toilet.
- f. The bathroom sink water pressure was low.
- g. There was no operational smoke alarm installed by the back bedroom.
- h. The back door did not adequately lock.

**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. The front bedroom window was broken and boarded, inhibiting emergency egress. This is in contravention of section 3(b)(ii) of the Minimum Housing and Health Standards, which states that "Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15")."
- b. The back bedroom window was broken and boarded, inhibiting emergency egress. This is in contravention of section 3(b)(ii) of the Minimum Housing and Health Standards, which states that "Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15")."

- c. The front living room window was broken and boarded. 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.”
- d. The walls were damaged in places including: there were holes through the wall between the hall and kitchen; the front room wall was in disrepair; the wall by the utility area had a large hole in it (approximately 2 ft by 2 ft); the casing was missing from around the back door. These are 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.”
- e. The window casing and sill above the bathroom bathtub was water damaged and paint was peeling. 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 plastic bathtub surround was in disrepair: the plastic shelf was broken and joints required resealing in places. 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.”
- g. The toilet was leaking from its base. There was a pool of water coming from underneath the toilet. This is in contravention of section 6 of the Minimum Housing and Health Standards which states that “Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. (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. (b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”
- h. The bathroom sink water pressure was low. This is in contravention of section 6(b) of the Minimum Housing and Health Standards which states that “Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system...(b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures.
- i. Several kitchen floor tiles were cracked. This is in contravention of section 5(b) 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...(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.”
- j. The back bedroom door knob was broken. 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.”

- k. There was no operational smoke alarm installed by the back bedroom. This is in contravention of section 12 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.”
- l. The back door did not adequately lock. 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.”

**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 August 31, 2024.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. When vacant, secure all entry points of the building to ensure that the housing premises does not present a condition that is or may become injurious or dangerous to public health.
  - b. Ensure functional smoke alarms are installed in or adjacent to all sleeping areas.
  - c. Repair/replace bedroom egress windows so they may provide an unobstructed opening of at least 0.35 square meters (3.8 square feet) with no dimension less than 380 millimeters (15 inches).
  - d. Repair/Replace all exterior doors and windows so they are in good working condition, weatherproof and free of cracks.
  - e. Conduct work needed to ensure all bathroom are equipped with an operational flush toilet, wash basin and bathtub/shower all in good repair.
  - f. Ensure all walls, ceilings, flooring, and floor coverings are in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
  - g. Ensure the back bedroom door is in good repair and supplied with a door knob.
  - h. Repair/replace the bathroom window casing and sill so that it is in good repair, smooth and non-absorbent to moisture.
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, August 14, 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](mailto: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>.

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**Copies of standards are available by visiting:** <https://www.alberta.ca/health-standards-and-guidelines.aspx>

