

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

**To:**

Mac Lofts Capital Corporation “the owner”	1087675 Alberta Ltd. “the property manager”
Norman Steinberg “the owner”	Mubi Dharshi “the property manager”
Abby Steinberg “the owner”	Brad Kamal “the property manager”
Paragon Properties Ltd. “the owner”	Dave Martyshuk “the property manager”

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

**RE:** The “housing premises” located in Edmonton, Alberta and municipally described as:  
Suites 108, 10128 – 105 Avenue NW, Edmonton Alberta

**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 evidence of extensive cockroach and bedbug infestations. Various life stages of cockroaches and bedbugs were noted in the premises.
- b. Baseboards were missing throughout the premises.
- c. There was an accumulation of feces, toilet paper and other waste next to the toilet.
- d. The flooring in the bathroom was in disrepair. It was loose, lifting and water damaged.
- e. There were no water tight joints between the floors, walls and shower.
- f. There was urine and feces on the bathroom floor.
- g. There was a large hole cut out above the shower in the washroom.
- h. A portion of the bathroom vanity was in disrepair. It was no longer smooth, non-absorbent and easy to clean.
- i. Drawers and cupboards in the kitchen were in disrepair and/or missing and can no longer be cleaned.
- j. The premises was kept in an unsanitary condition as there was garbage on the floor and a buildup of dirt and debris on surfaces throughout the suite.

**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 evidence of extensive cockroach and bedbug infestations. Cockroaches and bedbugs were crawling throughout the premise. Various life stages of cockroaches and bedbugs were noted in the premises. This is in contravention of section V(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.
- b. Baseboards were missing throughout the premises. This 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.
- c. There was an accumulation of feces, toilet paper and other waste next to the toilet. This is in contravention of Section 5(2) of the Housing Regulations which state 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.
- d. The flooring in the bathroom was in disrepair. It was loose, lifting and water damaged. This 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.
- e. There were no water tight joints between the floors, walls and the shower. This is in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: 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.
- f. There was urine and feces on the bathroom floor. This is in contravention of Section 5(2) of the Housing Regulations which state 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.
- g. There was a large hole cut out above the shower in the washroom. This 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.
- h. A portion of the bathroom vanity was in disrepair. It was no longer smooth, non-absorbent and easy to clean. This 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.
- i. Drawer and cupboards in the kitchen were in disrepair and/or missing and can no longer be cleaned. This 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.

- j. The premises was kept in an unsanitary condition as there was garbage on the floor and a buildup of dirt and debris on surfaces throughout the suite. This is in contravention of Section 5(2) of the Housing Regulations which state 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.

**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, 2016**.
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Ensure that a licensed Pest Control Operator is employed to rigorously treat for cockroaches and bedbugs, in coordination with the treatment of other infested suites. **Provide copies of pest control reports to this office.** Disinfest the premises. The owner shall ensure that the housing premises are free of insect infestations; and (i) all situations requiring the application of pesticides shall be conducted in accordance with the Environmental Protection and Enhancement Act and regulation; and (ii) whenever a pesticide is applied in a dwelling, the occupant shall be notified in accordance with the latest edition of the Environmental Code of Practice for Pesticides published by Alberta Environmental Protection. (iii) it is the occupants responsibility to allow access in accordance to the Residential Tenancy Act to do whatever is necessary to ensure the dwelling unit is ready for pesticide application.

The building owner(s), property managers, and occupants/tenants must work together to discourage any pest infestation and/or nesting by employing a number of control methods and by performing continual building maintenance in areas of concern. All parties are advised to work with and adhere to any prescribed actions from the exterminator (pest control company) contracted to service the building, and to consider a combination of physical control measures consistent with an Integrated Pest Management program (IPM).

- b. Replace the missing baseboards throughout the premises.
- c. Remove and replace the damaged flooring in the bathroom so it is smooth, non-absorbent and easy to clean. All walls in the bathroom shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.
- d. Repair/ cover the hole in the ceiling so is it smooth, non-absorbent and easy to clean.
- e. Repair or replace the bathroom vanity so all surfaces are smooth, non-absorbent and easy to clean.

- f. Ensure drawer and cupboards in the kitchen are installed and are finished in a manner so they are smooth, non-absorbent and easy to clean.
  - g. Remove and/or clean and disinfect surfaces contaminated with bodily fluids.
  - h. Ensure the suite is cleaned and properly disinfected by an individual trained to handle and clean-up blood and bodily fluids.
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 19, 2016  
This Order amends the August 11, 2016, Executive Officers Order to reflect the changes in the property management company.

\_\_\_\_\_(Original Signed)\_\_\_\_\_  
Meaghen Allen, CPHI(C)  
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 within ten (10) days after receiving the order to the Public Health Appeal Board located at Reception, Main Floor, Telus Plaza, 10025 Jasper Avenue, Edmonton, Alberta, T5J 1S6, Telephone 780-427-2813 Fax 780-422-0914.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or the Public Health Appeal Board 780-427-2813.

You are advised that all orders remain in effect pending such an appeal

**Health Legislation, Regulations and Standards**

*Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or [www.qp.gov.ab.ca](http://www.qp.gov.ab.ca).*

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*Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518, or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)*

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Edmonton • HSBC Building • Environmental Public Health  
Suite 700, 10055 – 106 Street, Edmonton, Alberta, Canada T5J 2Y2  
[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)

AMENDED