

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

To: Ashraf Bappantakath
"the Owner"

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

RE: Those housing premises located in Fox Creek, Alberta and municipally described as:
700 8 Street.

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, in contravention of the Public Health Act and Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 namely:

- a. There is significant water infiltration under the wooden basement floor of the home and evidence of water damaged floor joists. The wood used for the joists appears to be untreated wood. There also does not appear to be a vapour barrier present on the ground.
- b. Evidence of sewage backup in the basement was observed in video provided by the tenant and during inspection.
- c. Water damaged building materials were noted in the area of the back-up.
- d. A sump-pump has been installed and a discharge point installed through a pipe in the wall, next to the foundation exterior.
- e. Surface mold and bulging of wall panels were observed in some of the basement rooms suggesting excess moisture or water damage.
- f. The ventilation fan in the primary bedroom ensuite washroom is non-functional. There is also no openable window in the washroom to allow for natural ventilation.
- g. A window in one of the downstairs/basement rooms is noted to be heavily cracked, and pieces of the window glass are missing. A second window constructed of a wooden frame and single plastic pane is missing one of its windowpanes.
- h. Floor coverings are missing throughout the basement washroom and other areas, and in some cases there are holes present in the plywood flooring.
- i. Ceilings and walls throughout the basement area are in disrepair and some show evidence of water damage.
- j. There are several electrical outlet covers missing.
- k. There is a hole in the wall beside the bathtub in the primary bedroom ensuite.
- l. The underside of the sink in the primary bedroom ensuite is corroded, and pieces break off when touched.

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 is significant water infiltration under the wooden basement floor of the home and evidence of water damaged floor joists. The wood used for the joists appears to be untreated wood. There also does not appear to be a vapour barrier present on the ground. This is in contravention of section III(1) of the Minimum Housing and Health Standards which states: *“The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition. 1. Good repair, safe condition and structurally sound. (a) The housing premises shall be structurally sound. (b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation. (c) Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced. (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).”*
- b. Evidence of sewage backup in the basement was observed in video provided by the tenant and during inspection. This is in contravention of section IV(6) of the Minimum Housing and Health Standards which states: *“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, pump out 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.”*
- c. Water damaged building materials were noted in the area of the back-up. This is in contravention of section III(1) of the Minimum Housing and Health Standards which states: *“The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition. 1. Good repair, safe condition and structurally sound. (a) The housing premises shall be structurally sound. (b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation. (c) Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”*
- d. A sump-pump has been installed and a discharge point installed through a pipe in the wall, next to the foundation exterior. This is in contravention of section IV(6)(a) which states: *“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”* and is also in contravention of section III(1) which states: *“Good repair, safe condition and structurally sound. (a) The housing premises shall be structurally sound.*

(b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.

- e. Surface mold and bulging of wall panels were observed in some of the basement rooms suggesting excess moisture or water damage. This is in contravention section III(1)(c) which states: *“The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition. (c) Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”*
- f. The ventilation fan in the primary bedroom ensuite washroom is non-functional. There is also no openable window in the washroom to allow for natural ventilation. 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”*.
- g. A window in one of the downstairs/basement rooms is noted to be heavily cracked, and pieces of the window glass are missing. A second window constructed of a wooden frame and single plastic pane is missing one of its windowpanes. This is in contravention of section 2(b)(i) which states: *“All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof.”*
- h. Floor coverings are missing throughout the basement washroom and other areas, and in some cases, there are holes present in the plywood flooring. This is 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. (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.”*
- i. Ceilings and walls throughout the basement area are in disrepair and some show evidence of water damage. This condition is 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. There are several electrical outlet covers missing, which is a 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.”*
- k. There is a hole in the wall beside the bathtub in the primary bedroom ensuite. This is in contravention of section 5(a) 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. (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.”

- I. The underside of the sink in the primary bedroom ensuite is corroded, and pieces break off when touched. This is in contravention of section IV(6)(a) which states: *“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.”*

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 Owner takes all steps necessary to ensure all Occupants vacate the above noted premises on or before April 30, 2026.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Produce a satisfactory report from a Certified Safety Codes Officer under the Safety Codes Act which states the house is structurally sound and meets the requirements of the Safety Codes Act.
 - b. Inspect the plumbing and sanitary system and make any necessary repairs so that the plumbing and sanitary system are in good repair; address the cause of the sewage back up in the basement. Provide documentation to this office.
 - c. Ensure a Safety Codes Officer inspects the sump pump and advises on the location of the discharge pipe.
 - d. All wall, ceiling, floor surfaces that show evidence of water damage or mold must be inspected. All water damaged materials shall be removed and remaining surfaces cleaned, disinfected and dried prior to reconstruction. They shall be restored to suitable weatherproof finished conditions.
 - e. Repair or replace the washroom fan in the primary bedroom ensuite.
 - f. Repair or replace the cracked and broken basement window. Replace the missing windowpane in the second window.
 - g. Install suitable floor covering in the basement washroom and other habitable areas.
 - h. Replace all missing and damaged electrical outlet and switch covers.
 - i. Properly repair the hole beside the bathtub in the primary bedroom ensuite and ensure all surfaces in the washroom are non-porous and easy to clean.
 - j. Replace the corroded sink in the primary bedroom ensuite.

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 Whitecourt, Alberta, March 31, 2026.

Executive Officer
Public Health Inspector

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>

Template revised September 17, 2025

Copy: Town of Fox Creek