

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

**To:** Manoj Patel Vaz  
"the Owner"

&

Ruchi Vaz  
"the Owner"

**And To:** All Occupants of the following Housing premises:

**RE:** Those housing premises located in Lethbridge, Alberta and municipally described as: 33 Harvard Crescent W

**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 light fixture above the dining room was not secured to the ceiling and was hanging by electrical wires.
- b. There was one remaining uncovered light switch plate in the basement storage room/former bedroom.
- c. There were gaps between floor tiles in the kitchen making the floor difficult to clean.
- d. There was a small, unsealed gap behind the upstairs bathroom backsplash.
- e. The ceiling of the lower bathroom was peeling off and bubbling in many different areas.
- f. The upper bathroom had multiple cracked floor tiles. These were starting to chip and create sharp edges.
- g. The door trim around the laundry room door was not in place.
- h. One of the kitchen drawers was broken. The drawer track appears to have broken off.
- i. There was a small, unsealed gap behind the kitchen sink.
- j. The bottom panel of the dishwasher was not properly secured in place.

- k. The covered deck support beams on the exterior of the house were pulling apart in places. Since the plastic roof covering was removed, the top surface of these beams no longer appears to be sealed against moisture.
- l. The basement bedroom did not have proper egress window sizing. The openable dimensions did not meet egress standards. The room was being used as a storage room.
- m. The upper bathroom sink faucet was dripping constantly.
- n. The lower bathroom tub faucet was dripping constantly.
- o. The deck railing had multiple balusters in a state of disrepair. This creates a large, dangerous gap.
- p. The railing near the back door was no longer securely mounted to the house.
- q. The lower bathroom cabinet door was breaking off from the cabinet.
- r. The majority of insect screens were completely missing and the screen door to the deck was severely damaged.
- s. The door between the upstairs bathroom and the bedroom was in disrepair. It was no longer attached to the bottom hinge.
- t. The window to the basement storage room/former bedroom no longer had a locking mechanism. The window can be easily opened from the exterior.
- u. There appeared to be a water issue in the kitchen. The kitchen floor and the cupboard toe kick near the dishwasher were very wet. There appeared to be water pooling under the dishwasher.

**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 light fixture above the dining room was not secured to the ceiling and was hanging by electrical wires, which 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.
- b. There was one remaining uncovered light switch plate in the basement storage room/former bedroom, which 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.

- c. There were gaps between floor tiles in the kitchen making the floor difficult to clean, which is in contravention of 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.
- d. There was a small, unsealed gap behind the upstairs bathroom backsplash, which 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.
- e. The ceiling of the lower bathroom was peeling off and bubbling in many different areas, which 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.
- f. The upper bathroom had multiple cracked floor tiles. These were starting to chip and create sharp edges, which 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.
- g. The door trim around the laundry room door was not in place, which 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. One of the kitchen drawers was broken. The drawer track appears to have broken off, which is in contravention of section III of the Minimum Housing and Health Standards which states that: 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.
- i. There was a small, unsealed gap behind the kitchen sink, which 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.
- j. The bottom panel of the dishwasher was not properly secured in place, which is in contravention of section 5(2) of the Housing Regulation which states 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.

- k. The covered deck support beams on the exterior of the house were pulling apart in places. Since the plastic roof covering was removed, the top surface of these beams no longer appears to be sealed against moisture, which is in contravention of section III(2)(a) of the Housing Regulation which states that: the roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- l. The basement bedroom did not have proper egress window sizing. The openable dimensions did not meet egress standards, which is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above 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").
- m. The upper bathroom sink faucet was dripping constantly, which is in contravention of section IV(6)(a) of the Minimum Housing and Health Standards which states that: 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.
- n. The lower bathroom tub faucet was dripping constantly, which is in contravention of section IV(6)(a) of the Minimum Housing and Health Standards which states that: 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.
- o. The deck railing had multiple balusters in a state of disrepair. This creates a large, dangerous gap, which is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: 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.
- p. The railing near the back door was no longer securely mounted to the house, which is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: 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.
- q. The lower bathroom cabinet door was breaking off from the cabinet, which is in contravention of section III of the Minimum Housing and Health Standards which states that: 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.
- r. The majority of insect screens were completely missing and the screen door to the deck was severely damaged, which 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.

- s. The door between the upstairs bathroom and the bedroom was in disrepair. It was no longer attached to the bottom hinge, which is in contravention of section III of the Minimum Housing and Health Standards which states that: 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.
- t. The window to the basement storage room/former bedroom no longer had a locking mechanism. The window can be easily opened from the exterior, which 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.
- u. There appeared to be a water issue in the kitchen. The kitchen floor and the cupboard toe kick near the dishwasher were very wet. There appeared to be water pooling under the dishwasher, which is in contravention of section IV(6)(a) of the Minimum Housing and Health Standards which states that: 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 occupants vacate the above noted premises on or before **March 17, 2025**.
- 2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Properly install and secure the dining room light fixture.
  - b. Ensure all light switches have a proper electrical plate cover.
  - c. Ensure the kitchen flooring is free from gaps and is easily cleanable.
  - d. Seal the area behind the upper bathroom backsplash.
  - e. Refinish the upstairs bathroom ceiling.
  - f. Replace the upper bathroom floor tiles or otherwise ensure that they are in an easily cleanable condition and not a cutting hazard.
  - g. Replace the missing door trim in the laundry room.
  - h. Replace/repair the broken kitchen drawer to ensure the drawer functions as intended.

- i. Ensure the area behind the kitchen sink is completely sealed against water entry.
  - j. Ensure the dishwasher operates safely as intended or remove it altogether.
  - k. Ensure the covered deck is in a safe structural condition and ensure it is sufficiently moisture resistant (eg. paint the bare surfaces).
  - l. Install an egress window in this room or ensure it is never considered a bedroom or used for sleeping purposes. Update any lease agreements in consideration of this not suitable for the use as a bedroom until a proper window meeting egress requirements is installed.
  - m. Address the constant drip in the upstairs bathroom sink faucet.
  - n. Address the constant drip in the lower bathroom tub faucet.
  - o. Repair the broken deck rails.
  - p. Repair the railing near the back door.
  - q. Repair the lower bathroom cabinet doors.
  - r. Ensure all openable windows have intact, properly fitted insect screens. Repair or replace the deck door screen.
  - s. Repair the broken door between the upstairs bathroom and bedroom.
  - t. Install a locking mechanism on the basement storage room/bedroom window.
  - u. Investigate and address the plumbing issue in the kitchen.
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 Lethbridge, Alberta, January 20, 2025.

Confirmation of a verbal order issued to the Tenants; Ruchi Vaz and Manoj Patel Vaz on January 16, 2025.

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](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>.

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>

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Lethbridge • Melcor Centre • South Zone

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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)