

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

**To:** 1733280 Alberta Ltd.  
"The Owner"

**Xiu Ling Cai**  
"The Owner"

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
11845 79 Street 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. There was no running water in the building.
- b. The plumbing fixtures in the kitchen, main floor bathroom, and basement bathroom were not in proper working order as there was no running water supplied in the building.
- c. The back (east) deck was in disrepair: the surface was uneven and loose in places; and a chipboard portion was crumbling.
- d. Handrail missing from the along the interior stairs leading to the basement.
- e. The basement bedrooms did not have adequate means for emergency egress.
- f. The kitchen faucet was loose.
- g. The main floor bathtub faucet knob was missing.
- h. The basement bathroom toilet was missing its tank.
- i. The basement shower was missing its faucet and shower head.
- j. There was no smoke alarm in the main floor hallway outside the basement bedrooms.
- k. There was no smoke alarm in the basement hallway outside the basement bedrooms.
- l. The front door was not adequately weatherproof: light was noted between the door and its frame.
- m. The windows were single-paned or otherwise were in disrepair in various places throughout the premises including: the main floor northeast bedroom window was single-paned; the main floor west bedroom window was single paned, and the storm window was cracked; the basement bathroom window was boarded from the outside, and the basement living room windows were broken and boarded from the outside.
- n. Insect screens were missing from various windows throughout the premises.
- o. The finishes were in disrepair in various places throughout the premises including: the living room flooring had gaps; the basement hall ceiling had plastic and exposed insulation in places; a basement bedroom ceiling had numerous missing ceiling tiles; and the there was a large portion of bathroom wall that had been torn off.
- p. Electrical plates were missing from various electrical outlets and switches.

- q. The furnace was not operational: there appeared to be no gas provided to the furnace, the cover was removed, and the wiring appeared to have been tampered with.

**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. Items [l, m, n] are in contravention of section III(2)(b) which states: (i) All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof. (ii) 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. (iii) 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.
- b. Item [e] is in contravention of section III(3)(b) of the Minimum Housing and Health Standards which states: (i) For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge. (ii) 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"). (iii) If the window referred in section 3(b)(i) is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge. (iv) Notwithstanding section 3(b)(i), (ii) and (iii), alternate provisions for emergency egress may be approved by an executive officer where, after consultation with a safety codes officer, the executive officer is satisfied that the alternate provisions provide for means of emergency egress.
- c. Items [c, d] are in contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards which states: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, 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.
- d. Item [o] is in contravention of section III(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. (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.
- e. Items [b, f, g, h] are 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, 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.

- f. Item [q] is in contravention of section IV(8)(a) of the Minimum Housing and Health Standards which states: 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 ; (i) at least 22 degrees C (71 degrees F), or (i) maintained at a temperature of at least 22 degrees C (71 degrees F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
- g. Item [a] is in contravention of section IV(8)(d) of the Minimum Housing and Health Standards which states: Every owner must ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant.
- h. Item [p] is in contravention of section IV(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.
- i. Items [j, k] are in contravention of section IV(12) of the Minimum Housing and Health Standards which states: 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.

**AND WHEREAS**, by virtue of the foregoing, the above noted premises are hereby declared to be **Unfit for Human Habitation**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. **That the occupants vacate the above noted premises on or before November 30, 2021.**
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Restore the water utilities at the property. Ensure that there is a continuous supply of electricity, water, and heat.
  - b. Repair or replace the back (east) deck so that it is in good repair.
  - c. Install a handrail along the interior stairs leading to the basement.
  - d. Ensure that all bedrooms have adequate means for emergency egress.
  - e. Have a qualified Plumbing & Heating professional inspect the furnace and conduct any necessary repairs. **Provide documentation to this office.**
  - f. Retain a qualified plumbing professional to inspect the plumbing and sanitary system and make any necessary repairs so that the plumbing and sanitary system are in good repair, including the fixtures in the kitchen, main floor bathroom, and basement bathroom. **Provide documentation to this office.**
  - g. Repair or replace the kitchen faucet so that it is adequately attached to the sink/counter.
  - h. Install smoke alarms in the hallway outside the main floor bedrooms, and in the hallway outside the basement bedrooms. Smoke alarms must be operational at all times.

- i. Ensure that the front door is adequately weatherproof.
  - j. Repair or replace any windows that are in disrepair. Ensure that all windows are: maintained in good repair, free of cracks and weatherproof; are double glazed or are provided with a storm sash; and are capable of being secured.
  - k. Ensure that all openable windows are supplied with insect screens.
  - l. Ensure that all finishes are in good repair in living spaces including bedrooms, bathrooms, the kitchen, and other common areas.
  - m. Ensure that all electrical outlets are equipped with cover plates.
  - n. Ensure that all bedrooms have a window that meet emergency egress requirements.
  - o. Ensure that the housing premises meets the Minimum Housing and Health Standards prior to being used as a rental accommodation.
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 vacant and secure from unauthorized entry.

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, November 9, 2021

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

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