

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

**To:** “the Owner”  
1733280 Alberta Ltd.  
Gina Cai  
Shayne Kulba

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
11949 78 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:

### **Main floor**

- a. The owner failed to comply with the Executive Officer’s Order issued on October 1, 2020.
- b. The front entrance door casing had lifted and detached.
- c. The front and back entrance had insufficient weatherproofing as exterior light was observed when the door was shut.
- d. The living room west window lock was not operational.
- e. The living room north window pane was broken.
- f. The living room was being used for sleeping accommodation and no smoke alarm was installed.
- g. The northwest bedroom windowpane was broken and boarded up, impeding emergency egress.
- h. The northwest bedroom entrance door was in disrepair. There were multiple holes in the door.
- i. The smoke alarm in the hallway between the bedrooms was not operational.
- j. The southeast bedroom entrance door had lifted and detached.
- k. The southeast bedroom closet door was in disrepair. There were multiple holes in the door.
- l. Window screens were missing on openable windows.
- m. The bathroom window was missing a windowpane and interior was not protected from the elements.
- n. The bathroom electrical outlet cover was missing.

- o. The access panel located behind the toilet was constructed of an unfinished building material. It was water damaged.
- p. The premises was infested with cockroaches.
- q. The bathroom hand sink had poor drainage.
- r. The bathroom shower head was not secured and there was no watertight seal between the wall finish and fixture.
- s. The kitchen oven/stove was not operational.
- t. The kitchen oven door outer pane was broken and had detached.
- u. There were missing kitchen electrical outlet covers.
- v. The kitchen window frame had separated from the pane.
- w. The kitchen door casing had detached.
- x. The kitchen door was in disrepair. There were multiple holes in the door.
- y. The electrical box behind the kitchen door was missing its cover, and wires were protruding.
- z. The main floor back suite bedroom window pane was broken.
- aa. The smoke alarm in the main floor back suite was not operational.

#### **Basement**

- cc. There was no smoke alarm in the basement.
- dd. The NW bedroom windowpane was broken and was obstructed with numerous materials.
- ee. The old kitchen area in the basement was being used for sleeping accommodations and there was not an adequate window for emergency egress.
- ff. The basement bathroom hand sink fixture was not secured to the cabinet.
- gg. The basement hand sink cabinet door had detached.
- hh. The basement bathroom door was in disrepair. There were multiple holes.
- ii. The basement bathroom mechanical ventilation was not operational.
- jj. There was damaged wall, ceiling and flooring finishes throughout the premises.

**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. Item (a) is in contravention of an Order under section 62 of the Public Health Act and thereby committed an offence contrary to Section 73 of the Public Health Act that states: "A person who contravenes this Act, the regulations, an order under section 62 or an order of a medical officer of health or physician under Part 3 is guilty of an offence".
- b. Items (b, j, k, w, x, ff, gg, hh.) are 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.
- c. Items (c, e, m, v, z) is in contravention of section III(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. Item (m) is in contravention section III(2)(b)(ii) of the Minimum Housing and Health Standards which states that: 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.

- e. Item (l) is in contravention 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.
- f. Item (d) 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.
- g. Items (g., dd., ee.) is in contravention 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”).
- h. Items (q., r., ff) are 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.
- i. Item (ii.) is in contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
- j. Items (n, o, u, y are 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.
- k. Items (f., aa., cc.) are in contravention of section IV (12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.
- l. Item (p) 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.
- m. Item (bb) is in contravention of section 5 (2) of the Housing Regulations 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”
- n. Item (jj) 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.
- o. Items (s., t.) are in contravention of section IV (14)(a)(i) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and 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 May 31, 2021.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Repair the front entrance door frame so it is in good repair.
  - b. Repair or replace the front and back entrance so they are weatherproof and in good repair.
  - c. Repair or replace the living room west window lock so it can be secured. Ensure all windows and doors can be secured.
  - d. Repair or replace all broken windowpanes throughout the premises with windows that are double paned, in good repair and weatherproof. This includes:
    - e. The living room north window.
    - f. The main floor bathroom window.
    - g. The north west bedroom window.
    - h. The main floor back bedroom suite window.
    - i. The basement north bedroom window.
  - j. Install operational smoke alarms in the hallways outside the main floor bedrooms, in main floor living room, in the basement and in the back bedroom suite.
  - k. Remove board(s) covering the NW main floor bedroom window and the items blocking the basement bedroom window so there is an adequate path of egress in case of an emergency.
  - l. Repair all damaged finishes in the premises including:
    - m. The main floor southeast bedroom entrance door
    - n. The main floor southeast bedroom closet door.
    - o. The main floor northwest bedroom entrance door.
    - p. The kitchen door and casing.
    - q. The basement bathroom doors.
    - r. The main floor bathroom door was missing.
  - s. Install window screens on all openable windows.
  - t. Install plate covers on all electrical outlets including those missing in the bathroom and kitchen.
  - u. Remove the damaged access panel located behind the main floor bathroom toilet and replace with building material that is in good repair, non-absorbent to moisture and easy to clean.
  - v. Hire a certified pest control operator to address the cockroach infestation.
  - w. Repair the main floor bathroom hand sink plumbing so it drains.
  - x. Repair the main floor bathroom shower head so it is secured to the wall surround and has a watertight seal.
  - y. Repair or replace the kitchen oven/stove so it is operational and in good repair.
  - z. Repair or replace the kitchen window frame so it is in good repair.
  - aa. Install a cover on the electrical box behind the kitchen door and ensure any exposed wires are capped.
  - bb. Repair the basement bathroom hand sink fixture so it is secured to the basin/vanity and in good repair.
  - cc. Repair or replace the basement bathroom vanity so it is good repair, non-absorbent to moisture and easy to clean.

- dd. Ensure there is mechanical ventilation available in the downstairs washroom.
  - ee. Cease using the previous kitchen area in the basement as a bedroom.
  - ff. Ensure the Executive Officer's Order issued on October 1, 2020 is complied with.
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, April 27, 2021.

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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