

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

To: Qurbanali Mohammed
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
Suite 4A, 13220 Fort Road 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. Sewage was intermittently backing up out of the washroom into the suite, common area hallway, and adjacent suite.
- b. The toilet, bathtub, and shower fixtures had been removed.
- c. The toilet drainpipe was covered with a wooden board and not capped.
- d. A section of ceiling in the bathroom was removed. Insulation and pieces of drywall were hanging from the ceiling.
- e. The floor covering and baseboards had been removed in the bathroom.
- f. The door to the bathroom had been removed.
- g. The door trim around the bathroom entrance had been removed.
- h. The floor covering was damaged and lifting in the hallway and living room.
- i. The floor covering was missing in the kitchen.
- j. Sections of baseboards had been removed throughout the suite.
- k. The wall vent cover was missing in the hallway.
- l. The walls were damaged 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. Item (a) is in contravention of section IV (6)(a) of the Minimum Housing and Health Standards which states: "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. Item (b) is in contravention of section IV (7) of the Minimum Housing and Health Standards which states: "Except where exempt by regulation, every housing premises shall be

provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower”.

- c. Item (c) is in contravention of section 5(2) of the Housing Regulation that states that: “No person shall cause or permit any condition in housing premises that is or might become injurious or dangers to the public health, including any condition that may hinder in any way the prevention or suppression of disease”.
- d. Items (d), (e), (f), (g), (h), (i), (j), (k) and (l) are 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. (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”.

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 Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Make the necessary repairs to the drainage system to ensure it is in proper operating condition.
 - b. Install a toilet, bathtub and/or shower of an approved type and in proper operating condition.
 - c. Cap the toilet drainpipe until the toilet is installed.
 - d. Repair the damaged bathroom ceiling. As the home was building prior to 1990 you must hire an **Environmental Consultant or Industrial/Occupational Health Hygienist that must be approved by Alberta Health Services and prior to the commencement of renovation or repairs to determine the presence of asbestos within building materials. The consultant *must* assess the conditions within the above noted premises including performing applicable sampling for asbestos containing materials. In the event asbestos is present, **provide Environmental Public Health with a written asbestos management/abatement plan in accordance with the Alberta Occupational Health and Safety Code for Asbestos abatement. Ensure proper removal/handling of impacted materials follow current codes and standards as outlined in the Alberta Asbestos Abatement Manual.****
 - e. Install floor covering and baseboards in the bathroom that are smooth, non-absorbent, and easy to clean.
 - f. Install a door on the entrance to the bathroom.
 - g. Replace the door trim around the entrance to the bathroom.
 - h. Replace the damaged flooring in the hallway and living room so that it is in good repair and in a condition that renders it easy to clean.
 - i. Install floor covering in the kitchen constructed of materials which do not provide harbourage to dirt, grease, vermin, and bacteria and that are easily kept clean.
 - j. Install baseboards where previously missing in the suite.

- k. Replace the wall vent cover in the hallway.
 - l. Repair sections of damaged wall throughout the suite so that it is in good repair and in a condition that renders it easy to clean.
2. 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, March 21, 2023

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
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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RE: The premises located in Edmonton Alberta and municipally described as: Suite 4A, 13220 Fort Road NW

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Suite 700, 10055 106 Street NW, Edmonton, AB, Canada T5J 2Y2

www.albertahealthservices.ca/eph.asp