

## ORDER OF AN EXECUTIVE OFFICER

**To:** Condominium Corporation No. 7521169      Sahil Sharma      Zia Khan  
"the Owner"      "the Owner"      "the Owner"

Robert Matheson      Peter Kania      Alex Kozicka      Stephane Proteau  
"the Owner"      "the Owner"      "the Owner"      "the Owner"

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
5715 – 133 Avenue 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. General sanitation of the building was poor. All common areas were visibly dirty.
- b. Cockroach infestation throughout the building.
- c. There was evidence of individuals sleeping in the laundry rooms: food, dishware, and bedding were observed in the laundry rooms.
- d. Garbage bins were overflowing in the laundry rooms and in the front foyer.
- e. There was an active water leak from the ceiling in the basement hallway outside of suite 3C.
- f. One of the basement hallway smoke alarms was in disrepair.
- g. Lights were in disrepair throughout the building.
- h. Light covers were missing or damaged throughout in the laundry room and front entrance.
- i. Sections of ceilings and walls were cut out and missing throughout the building.
- j. Walls and ceilings throughout the building were water stained and damaged.
- k. Evidence of reoccurring sewage back-ups in the building. The boiler room and the carpet in the basement hallway was wet and/or stained from previous sewage back-ups.
- l. The floor covering on the main entrance foyer stairwell was in disrepair.
- m. Baseboard heater covers were missing in the main entrance foyer and stairwells.
- n. The window in one of the front entrance doors was broken.
- o. The windows in the stairwells were not double-paned and therefore not weatherproof.
- p. Insect screens were missing on the windows in the stairwells.
- q. The washing machine in the basement laundry room was leaking.
- r. The floor covering in the basement laundry room was water damaged and torn.

**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 V (16) of the Minimum Housing and Health Standards which states that: "The owner shall ensure that all rooms and other areas used in common

by the occupants of the individual dwellings are maintained in a clean and sanitary condition”.

- b. Item (b) 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”.
- c. Items (c), (m) and (q) are 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. Item (d) is in contravention of section IV (15) of the Minimum Housing and Health Standards which states that: “Every housing premises shall have an adequate number of containers suitable for the storage of garbage and refuse awaiting final disposal”.
- e. Item (e) is in contravention of section III 1(b) of the Minimum Housing and Health Standards which states that: “Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation”.
- f. Item (f) is 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”.
- g. Item (g) is in contravention of section IV (13) of the Minimum Housing and Health Standards which states that: “Every public hallway and stairway in a housing premises with multiple dwellings shall be adequately lighted by natural or artificial light at all times, providing in all parts thereof at least 50 lux of light at each tread or floor level”.
- h. Item (h) is in contravention of section IV (1) 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”.
- i. Items (i), (j), (l), and (r) 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.”
- j. Item (k) 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”.
- k. Items (n) and (o) are in contravention of section III (2)(b)(i) which states that: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof”.
- l. Item (p) is in contravention of section III (2)(b)(iii) 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”.

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. Clean and maintain sanitation in the common areas at all times.
  - b. Hire a certified pest control company to conduct pest control treatments for the cockroach infestation. Copies of the pest control reports must be provided to Environmental Public Health for verification.

- c. Remove all food, dishware, and bedding from the laundry rooms. The laundry rooms must not be used for sleeping or living purposes. Ensure all exterior windows and doors are secure to prevent non-residents from accessing the building.
- d. Maintain the garbage bins in the common areas so that garbage is removed regularly and not overflowing from the garbage bins.
- e. Repair the source of the water leak in the basement hallway outside of suite 3C to prevent further water infiltration and water damage.
- f. Repair the smoke alarm in the basement hallway so that it is in good working condition.
- g. Repair or replace lights in disrepair in the common areas so that they are in good working condition and provide adequate light to the common areas.
- h. Repair or replace the light covers in the laundry room and front entrance.
- i. Repair or replace missing and damaged sections of the walls, ceilings and floor coverings in the building. As the premise was built 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.****
- j. Hire a professional plumber to conduct an assessment and make the necessary repairs to the plumbing and drainage system so that it maintained in proper operating condition. **Provide Environmental Public Health with invoices for all work completed.**
- k. Clean or replace the stained and damaged carpet in the basement hallway so that is clean and in good repair.
- l. Replace the missing baseboard heaters in the front foyer and stairwells.
- m. Repair or replace the broken windowpane in the front entrance door.
- n. Replace windows or installed double-paned windows in the stairwells so that they are adequately weatherproof.
- o. Install insect screens on all openable windows in the stairwells.
- p. Repair the washing machine in the basement laundry room so that it is no longer leaking and in good repair.

2. The work referred to in paragraph 1 shall be completed by:
- a. Items a, b, c, d, e, f, g, j and m must be completed immediately.
  - b. Items h, i, k, l, n, o, and p must be completed by July 19, 2023.

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, May 18, 2023.

Executive Officer  
Alberta Health Services

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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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Edmonton • Environmental Public Health

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

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