

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

To: Salma Abdrahman
"the Owner"

And To: Nazih Esmail
"the Owner"

And To: All Occupant(s) of the following Housing premises: 1528 48 Street SE – Basement.

RE: Those housing premises located in Calgary, Alberta and municipally described as:
1528 48 Street SE - Basement.

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. Soiled adult diapers and clothes contaminated with fecal matter were scattered throughout the living room.
- b. Large amounts of garbage including empty/soiled food and beverage containers were piled up throughout the kitchen.
- c. There was major clutter in the bedroom. The closet was not accessible due to the amount of clutter.
- d. There was a fruit fly infestation throughout the whole unit.
- e. The smoke alarm was not operational.
- f. The light fixture in the hallway was not secured properly, resulting in live wires being exposed.
- g. A vent cover was missing from the washroom ceiling.
- h. There was no caulking between the bathtub and the tub surround.
- i. The tub surround tiles on the faucet side of the wall were cracked, broken, uneven and in general disrepair such that water has infiltrated behind the bathtub surround.
- j. There were water stains on many sections of ceiling in the unit.
- k. There was major grease and grime build up on the kitchen stove, kitchen counter and kitchen hand sink.
- l. The kitchen counter was cracked and beginning to lift.
- m. There was no handrail along the staircase leading into the unit.
- n. The washroom fan was not working.

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. Soiled adult diapers and clothes contaminated with fecal matter were scattered throughout the living room. This is in contravention of section 5(2) of the Public Health Act on Housing Regulation, 2001 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.
- b. Large amounts of garbage including empty/soiled food and beverage containers were piled up throughout the kitchen. This is in contravention of section 5(2) of the Public Health Act on Housing Regulation, 2001 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.
- c. There was major clutter in the bedroom. The closet was not accessible due to the amount of clutter. This is in contravention of section 5(2) of the Public Health Act on Housing Regulation, 2001 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.
- d. There was a fruit fly infestation throughout the whole unit. This 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.
- e. The smoke alarm was not operational. This 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.
- f. The light fixture in the hallway was not secured properly, resulting in live wires being exposed. This 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.
- g. A vent cover was missing from the washroom ceiling. This 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.
- h. There was no caulking between the bathtub and the tub surround. This 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.
- i. The tub surround tiles on the faucet side of the wall were cracked, broken, uneven and in general disrepair such that water has infiltrated behind the bathtub surround. This 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.

- j. There were water stains on many sections of ceiling in the unit. This 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.
- k. There was major grease and grime build up on the kitchen stove, kitchen counter and kitchen hand sink. This is in contravention of section 5(2) of the Public Health Act on Housing Regulation, 2001 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.
- l. The kitchen counter was cracked and beginning to lift. This is in contravention of section IV(14)(a)(iii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned;
- m. There was no handrail along the staircase leading into the unit. This is in contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards which states that: 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.
- n. The washroom fan was not working. This 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.

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 July 31, 2023.
- 2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remove all items soiled with bodily excrement.
 - b. Remove all garbage from the kitchen.
 - c. Remove and/or organize all clutter in the bedroom.
 - d. Eradicate the fruit fly infestation from the unit.
 - e. Clean and disinfect all surfaces in the unit.
 - f. Install a fully functional smoke alarm in the unit.
 - g. Repair or replace the light fixture.
 - h. Install a vent cover on the washroom ceiling.
 - i. Replace the bathtub surround.
 - j. Investigate and stop the source of moisture causing the water damage. Remove all water-stained materials and replace with new building materials.
 - k. Repair or replace the kitchen counter.
 - l. Install a handrail along the staircase.

- m. Repair or replace the washroom fan.
- 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.
- 4. The work referred to in paragraph 2 above shall be completed by September 27, 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 Calgary, Alberta, June 29, 2023.
Confirmation of a verbal order issued to Property Manager, Nastawlah, on June 27, 2023.

Executive Officer
Environmental Health Officer

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, Telus Plaza North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <http://www.health.alberta.ca/about/PHAB.html>

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.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: www.health.alberta.ca/about/health-legislation.html

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www.albertahealthservices.ca/eph.asp