

ORDER OF AN EXECUTIVE OFFICER

To: Vuong Van Tai Holding INC. Van Vuong
"the Owner" "the Owner"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
201 – 10603 107 Avenue NW Edmonton, AB T5H 0W5

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. The refrigerator was not maintained in proper, operating condition. The internal temperature of the refrigerator measured 15 degrees Celsius. One of the seals along the door of the freezer was not properly attached.
- b. The toilet within the unit was not properly secured to the floor and may not be properly sealed. The tenants of the unit indicated the toilet would flood the space (with water coming from below the toilet) when flushed.
- c. The sink in the bathroom was not maintained in proper, operating condition. The sink was not draining properly at the time of inspection.
- d. There was evidence of an ongoing cockroach infestation within the unit. Live cockroaches were observed within the building. The tenant of the unit indicated they had been seeing cockroaches within the unit.
- e. The ceiling and baseboards within the bathroom were water damaged.
- f. The carpets within the suite were stained and torn.
- g. The kitchen sink was leaking at the time of inspection. Water was observed pooling below the sink at the time of inspection.
- h. The dishwasher in the unit was not maintained in proper, operating condition. There was mold present within the inside of the dishwasher unit.
- i. There were no insect screens installed on the openable windows within the unit.

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. The refrigerator was not maintained in proper, operating condition. The internal temperature of the refrigerator measured 15 degrees Celsius. One of the seals along the door of the freezer was not properly attached. This is in contravention of Section 14(a)(iv) of the Minimum Housing and Health Standards, which states that "Every housing premises shall be provided with a food preparation area, which includes:...(iv) a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. (40°F)."

- b. The toilet within the unit was not properly secured to the floor and may not be properly sealed. The tenants of the unit indicated the toilet would flood the space (with water coming from below the toilet) when flushed. This is in contravention of Section 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.”
- c. The sink in the bathroom was not maintained in proper, operating condition. The sink was not draining properly at the time of inspection. This is in contravention of Section 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.”
- d. There was evidence of an ongoing cockroach infestation within the unit. Live cockroaches were observed within the building. The tenant of the unit indicated they had been seeing cockroaches within the unit. This is in contravention of Section 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 ceiling and baseboards within the bathroom were water damaged. This is in contravention of Section 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.”
- f. The carpets within the suite were stained and torn. This is in contravention of Section 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.”
- g. The kitchen sink was leaking at the time of inspection. Water was observed pooling below the sink at the time of inspection. This is in contravention of Section 6(c) of the Minimum Housing and Health Standards, which states that “All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”
- h. The dishwasher in the unit was not maintained in proper, operating condition. There was mold present within the inside of the dishwasher unit. This is in contravention of Section 5(2) of the Alberta Housing Regulation (AR 173/99) 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.”
- i. There were no insect screens installed on the openable windows within the unit. This is in contravention of Section 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.”

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. Repair or replace the refrigerator within the unit. Ensure the unit is capable of maintaining an internal temperature of 4° Celsius or less within the refrigerator component and -18°

Celsius or less within the freezer component. Ensure all seals are maintained in proper, operating condition.

- b. Repair the toilet within the unit. Ensure it is maintained in proper, operating condition.
- c. Repair the sink in the bathroom to ensure it is draining properly.
- d. Hire the services of a licensed pest control operator to treat the cockroach infestation in the unit/building. Provide copies of all reports generated by the licensed pest control professional to Alberta Health Services Environmental Public Health (AHS EPH).
- e. Abate the source of the leak above the bathroom of the unit.
- f. Remove and replace all water damaged materials from the ceiling/walls in the bathroom.
- g. Remove and replace the damaged carpet within the unit.
- h. Repair the kitchen sink to ensure it is no longer leaking.
- i. Remove or repair the dishwasher within the unit.
- j. Install insect screens along any openable windows within the unit.

2. The work referred to in paragraph 1(a, b, c, e, h, i) shall be completed by March 27, 2024.
The work referred to in paragraph 1(d, j) shall be completed by April 3, 2024.
The work referred to in paragraph 1(f, g) shall be completed by April 27, 2024.

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 20, 2024.

Confirmation of a verbal order issued to Van Vuong on March 12, 2024.

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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www.albertahealthservices.ca/eph.asp