

ORDER OF AN EXECUTIVE OFFICER

To: Joseph Phuc Hung Nguyen
“the Owners”

Hong Minh Thi Vu Nguyen
“the Owners”

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
11614 97 Street NW, Edmonton, AB, T5G 1X9

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. Several electrical outlet covers and light switch covers throughout the home are missing or damaged, including in the basement, above the kitchen counter, in the children's bedroom and behind the door leading to the basement.
- b. The floor vent covers in the kitchen and next to the front door is missing or in disrepair and not secured.
- c. The bathroom door knob is in disrepair. It spins continuously in both directions and can become very difficult to open the door. This has led to children being trapped in the bathroom.
- d. A window in the nook on the north side of the house is unable to be locked.
- e. The windows in both bedrooms are 3.67 ft². This is less than the required 3.8ft² and thus they are too small for emergency egress in the event of a fire.
- f. The stairs leading to the basement do not have a handrail installed.
- g. During the inspection at the premises on May 7, 2024, there was water infiltration in the basement due to cracks in the foundation.
- h. The sink in the bathroom is not usable due to significant leaking from the basin when the water is turned on.

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. Several electrical outlet covers and light switch covers throughout the home are missing or damaged, including in the basement, above the kitchen counter, in the children's bedroom and behind the door leading to the basement. This is in contravention of section 11 of the Minimum Housing and Health Standards which states that outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
- b. The floor vent covers in the kitchen and next to the front door is missing or in disrepair and not secured. This is in contravention of section 8(a) of the Minimum Housing and Health

Standards which states that heating facilities within the housing premises are in disrepair. All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms.

- c. The bathroom door knob is in disrepair. It spins continuously in both directions and can become very difficult to open the door. This has led to children being trapped in the bathroom. This is contravention of section 5(2) of the Housing Regulation 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. A window in the nook on the north side of the house is unable to be locked. This is in contravention of section 3(a) of the Minimum Housing and Health Standards which states that exterior windows and doors shall be capable of being secured.
- e. The windows in both bedrooms are 3.67 ft². This is less than the required 3.8ft² and thus they are too small for emergency egress in the event of a fire. This is in contravention of section 3(b)(ii) of the Minimum Housing and Health Standards which states that windows for emergency egress shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15").
- f. The stairs leading to the basement do not have a handrail installed. This is in contravention of section 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.
- g. During the inspection of the premises on May 7, 2024, there was water infiltration in the basement due to the foundation of the home being in disrepair. This is in contravention of section 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.
- h. The sink in the bathroom is not usable due to significant leaking from the basin when the water is turned on. This is in contravention of section 6(a) and (c) 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 and all plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- i. There are missing baseboards along the wall in the hall that leads to the bedrooms. This leaves a gap between the flooring and wall which has an accumulation of debris which is difficult to clean. 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.
- j. There are holes and cracks in the walls throughout the home including near the curtain rods in the nook at the north side of the home, on the wall to the left of the television and on a wall in the hall outside the bedrooms. There is also a large crack in the ceiling in the living room and a smaller crack in the ceiling in the kitchen, above the left edge of the kitchen counter. 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.

- k. The flooring in the closet in the children's bedroom is damaged and missing, with a small hole present such that the basement can be viewed directly through the hole. 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.
- l. There is a nail head protruding from the flooring in the area in the hall just outside of the bedrooms. 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.
- m. A large section of the flooring in the kitchen is damaged and missing. 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.
- n. The plumbing for the right-side basin of the kitchen sink leaks excessively under the sink when the water is turned on. This is in contravention of section 6(a) and (c) of the Minimum Housing and Health Standards which state 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 and all plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- o. The caulking around the bottom exterior of the tub, to the left of the hand sink is in disrepair. This is in contravention of section 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.
- p. The seal and multiple tiles around the top edge of the bathtub are in disrepair, with visible holes in the tiles directly above the front and back sides of the bathtub. Construction material is visible in these holes. This is in contravention of section 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.
- q. The mechanical ventilation in the bathroom is not operational. There is also no alternative option for natural ventilation in the bathroom. This is in contravention of section 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.
- r. Two windows on the north side of the house are damaged with broken glass between the panes. The windows are currently covered with plastic and Styrofoam. The windows are not weatherproof. This is in contravention of section 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.
- s. Multiple window screens throughout the unit are missing or damaged severely, including in both bedrooms, kitchen and play area/nook at the north side of the house. 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 all electrical outlet covers and light switch covers in the house such that they are in good and safe working condition.
 - b. Replace the vent cover in the kitchen and by the front door and ensure they are secured to the floor.
 - c. Repair the bathroom door knob such that the door can be opened and closed easily.
 - d. Repair the lock on the window in the nook on the north side of the house such that the window is capable to be locked.
 - e. Modify or replace the windows in the bedrooms such that the openable area is at least 3.8ft² with no dimension less than 15 inches.
 - f. Install a handrail that complies with the Alberta Building Code for the stairs that lead to the basement.
 - g. Repair the cracks in the basement foundation of the house such that water infiltration will be prevented in the future.
 - h. Repair the leak from the bathroom sink basin and the plumbing under the kitchen sink such that it does not leak when the sink is used.
 - i. Replace the missing baseboards along the wall in the hall that leads to the bedrooms.
 - j. Repair all cracks and holes in the walls in the house.
 - k. Repair the hole in the flooring in the children's bedroom.
 - l. Secure the protruding nail head from the floor in the hall outside the bedrooms.
 - m. Repair or replace the area of the flooring in the kitchen that is damaged.
 - n. Repair the caulking around the exterior of the bottom of the bathtub.
 - o. Repair the sealing and tiles around the edges of the bathtub.
 - p. Repair the mechanical ventilation in the bathroom such that it is operational.
 - q. Repair or replace the windows on the north side of the house such that all broken glass is removed and the windows are weatherproof.
 - r. Repair or replace all missing or damaged window screens in the house.
2. The work referred to in paragraph 1 shall be completed by July 31, 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, June 17, 2024.

Confirmation of a verbal order issued to Joseph Phuc Hung Nguyen on June 13, 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>

Order of an Executive Officer

RE: Those premises located in Edmonton, Alberta and municipally described as: 11614 97 Street NW, Edmonton, AB, T5G 1X9

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<https://www.ahs.ca/eph>