

ORDER OF AN EXECUTIVE OFFICER FOR REPAIR

To: **NSR Investments Inc.** **Jain Dhaval** **Makker Sahil**
 “Owners” **“Owner”** **“Owner”**

Fadil Murati with Ayre & Oxford Inc.
 “Property Manager”

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
 5607 118 Avenue Suite 201 NW (Block 7, Plan 0821285)

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 flooring tiles were lifting with one floor tile missing in the kitchen and the suite entrance hallway.
- b. There was a continuous drip from the kitchen faucet.
- c. There was a missing window screen for the window in the kitchen.
- d. The caulking was lifting with parts missing around the plastic surround in the bathing area.
- e. The plastic shelving for the plastic surround was cracked allowing water infiltration into the wall behind.
- f. There was no smoke alarm on the ceiling outside the bedrooms.
- g. The baseboard behind the toilet was water damaged.
- h. The bathroom window could not be opened.
- i. The handle for the hot water tap was missing the occupants were using plyers to turn the water on and off.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, the Minimum Housing and Health Standard exist in and about the above noted premises, namely:

- a. Items (a, d, and e) 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 and section III(5)(b) of the Minimum Housing and Health Standards which states that: 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
- b. Items (b and i) is in contravention of section IV(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

- c. Item (c) is in contravention of section III(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
- d. Item (f) is in contravention of section IV(12) of the Minimum Housing and Health Standards which states that: Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway.
- e. Item (h) 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
- f. Item (g) is in contravention of section III(1)(c) of the Minimum Housing and Health Standards which states that: Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. 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.** As this apartment was built prior to 1990, **the presence of asbestos within building materials is likely thus all precautions must be taken. 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.**
 - b. Repair or replace the flooring in the kitchen area. Ensure that all floor coverings are maintained in good repair, free of cracks, holes, loose or lifting and are in a condition that renders it easy to clean.
 - c. Remove the plastic surround in the bathing area and inspect the wall behind to ensure that there is no water damage or mold. Replace the plastic surround and ensure that the plastic surround has a watertight seal. Ensure all walls for the bathroom are non-absorbent to moisture and can be easily to clean.
 - d. Replace the baseboard behind the toilet. Ensure that building materials that are damaged or show evidence of rot or other deterioration are repaired or replaced.
 - e. Hire a qualified plumber to repair the continuous drip for the kitchen sink and the handle for the hot water tap for the bathtub faucet. Ensure that all plumbing fixtures are serviceable, free from leaks, trapped and vented to the outside.
 - f. Repair or replace all window screens before the spring of 2023. Ensure that during the portion of the year when there is a need for protection against flies and other flying insects, all windows are supplied with effective screens

- g. Install a smoke alarm on the ceiling in the hallway outside the bedrooms
 - h. Install a mechanical ventilation system or ensure that the window in the bathroom can be opened. Ensure that all rooms containing a flush toilet and/or bathtub or shower are provided with either natural or mechanical ventilation.
2. The work referred to in paragraph 1 shall be completed by December 1, 2022.
3. If this premises becomes vacant it is to remain vacant until all the above repairs have been completed.

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, 04 November 2022

Confirmation of a verbal order issued to Fadil Murati 01 November 2022

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 www.qp.gov.ab.ca.

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 www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at

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780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Edmonton • Environmental Public Health

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www.albertahealthservices.ca/eph.asp