

## ORDER OF AN EXECUTIVE OFFICER CLOSED FOR TENANT ACCOMODATION AND VACATE ORDER

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 NW, Suite 202 (Block 8, 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. Part of the linoleum flooring was missing at the corner of the bathtub, the exposed wooden surface showed signs of deterioration and rot.
- b. The plastic tub surround was lifting in several areas around the bathing area.
- c. There was missing flooring around the toilet area.
- d. The laminate flooring in the spare bedroom had large gaps between the flooring boards and there were laminate boards missing.
- e. There was a hole in the wall in the corner of the spare bedroom.
- f. No smoke alarm on the ceiling in the hallway outside the bedrooms.
- g. Part of the rug flooring was missing for the master bedroom.
- h. Both windowpanes were broken for the master bedroom window.
- i. The bedroom windows could not be opened to the required height to meet emergency egress regulations.
- j. The refrigeration unit temperature was taken and found to be +10 degrees Celsius with the internal temperature gauge set at the coldest temperature, this temperature is too high the required temperature can be no higher than +4 degrees Celsius.
- k. One of the stove elements was not functioning.
- I. There was a missing electrical cover plate in the kitchen.

**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, b and c) 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.

- b. Items (d,e and g) 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.
- c. 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.
- d. Item (h) is in contravention of section III(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.
- e. Item (i) is in contravention of section III (3)(b)(ii) of the Minimum Housing and Health Standards which states that: shall provide unobstructed openings with areas not less than 0.35 m2 (3.8ft2), with no dimension less than 380 mm (15").
- f. Items (j and k) is in contravention of section IV(14)(a)(i) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: 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.
- g. Item (I) 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.

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

- 1. That the occupants vacate the above noted premises on or before 15 November 2022.
- 2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Repair or install new flooring in the bedrooms and the bathroom. Ensure that all flooring material is in good condition, can be easily cleaned and the bathroom flooring is impervious to water
  - b. Caulk the plastic surround in the bathroom and repair the wall in the spare bedroom. Ensure that the walls in the shower area are impervious to water and can be easily cleaned, also, ensure that the walls for the entire premises are in good conditions
  - c. Install a functioning smoke alarm on the ceiling in the hallway outside the bedrooms
  - d. Repair the broken windows in the master bedroom. Ensure that all window and doors are in good conditions and are weather proofed
  - e. Repair or replace the bedroom windows to ensure that the unobstructed opens with areas not less than 0.35 m2 (3.8ft2), and with no dimension less than 380 mm (15").
  - f. Repair or replace the refrigeration unit. Ensure that the refrigeration unit's internal temperature can maintain to a maximum temperature of +4 degrees Celsius.
  - g. Repair or replace the stove burner. Ensure that all stove burners are in good conditions and are functioning properly.

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h. Install a cover plate for the electrical outlet in the kitchen.

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, 28 October 2022

Confirmation of a verbal order issued to Fadil Murati 21 October 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

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

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