

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 302 NW (Block 12, 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. There was no door number on the suite door.
- b. The kitchen tap had a continuous drip.
- c. There were live cockroaches seen in the kitchen.
- d. Three stove burners were not functioning.
- e. The plastic surround for the bathing area was ripped this was allowing water infiltration into the wall behind.
- f. The door was cracked, and the doorknob would jam when the door was opened.

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 and Alberta 243/2003 Nuisance and General Sanitation and Regulations exist in and about the above noted premises, namely:

- a. Item (a) is in contravention of section 2(1) of the Nuisance and General Sanitation and Regulations states that: No person shall create, commit or maintain a nuisance that might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.
- b. Item (b) 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 V(16)(a)(i, ii) of the Minimum Housing and Health Standards which states that: All situations requiring the application of pesticides shall be conducted in accordance with the Environmental Protection and Enhancement Act and regulation; and whenever a pesticide is applied in a dwelling, the occupant shall be notified in accordance with the latest edition of the Environmental Code of Practice for Pesticides published by Alberta Environmental Protection.

- d. Item (d) 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.
- e. Item (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.
- f. Item (f) 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.

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. Install a door number on the suite door, this will ensure that emergency personal can locate the address in the event of an emergency.
 - 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 is watertight. Rooms containing a flush toilet and/or a bathtub or shower must have walls are smooth, non-absorbent to moisture and easy to clean.
 - d. Hire a qualified plumber to repair the continuous drip for the kitchen sink. Ensure that all plumbing fixtures are serviceable, free from leaks, trapped and vented to the outside.
 - e. Hire a certified pest control company to conduct pest control treatments for the cockroach. Copies of the pest control reports must be provided to Environmental Public Health for verification.
 - f. Repair or replace the stove, ensure that it is safe condition and in proper working condition.
 - g. Repair or replace the suite door to ensure that it can be opened and closed properly. Ensure that doors are maintained in good repair, and free of cracks.
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 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Order of an Executive Officer For Repair

RE: Those premises located in Edmonton, Alberta and municipally described as: 5607 118 Avenue Suite 302 NW Edmonton Alberta

Page 4 of 4

Edmonton • Environmental Public Health

Suite 700, 10055 106 Street NW, Edmonton, AB, Canada T5J 2Y2

www.albertahealthservices.ca/eph.asp