

ORDER OF AN EXECUTIVE OFFICER **CLOSED FOR TENANT ACCOMMODATION PURPOSES** ORDER TO VACATE

To: **NSR** Investments Inc. Jain Dhaval

Makker Sahil

"Owners"

"Owner"

"Owner"

Fadil Murati with Ayre & Oxford Inc.

"Property Manager"

And To: All Occupant(s) of the following Housing premises:

RE: Those housing premises located in Edmonton, Alberta and municipally described as:

5615 – 118 Avenue NW, Suite 201 (Block 7, Plan 0821286)

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 electricity supplied to the unit.
- b. The boiler system for the building was not operational and there was no heat supplied to the unit. The ambient temperature in the unit was 17.1 degrees Celsius.
- c. The smoke alarm was not operational.
- d. The bedroom windows could not be opened to the required height to meet emergency egress regulations.
- e. Insect screens were missing on openable windows throughout the suite.
- f. The suite was infested with cockroaches and fruit flies.
- g. The lower kitchen cupboards were water damaged.
- h. The kitchen counter was cracked and in disrepair around the sink.

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. Item (a) 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".
- b. Item (b) is in contravention of section IV (8)(a) of the Minimum Housing and Health Standards which states that: "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, bathrooms, and toilet rooms within the building to a temperature of; (i) at least 22C(71F)".

- c. Item (c) is in contravention of section IV (12)(a) of the Minimum Housing and Health Standards which states that: "Smoke alarms shall be operational and in good repair at all times".
- d. Item (d) is in contravention of section III (3)(b)(ii) of the Minimum Housing and Health Standards which states that: "Windows...shall provide unobstructed openings with areas not less than 0.35 m2 (3.8ft2), with no dimension less than 380 mm (15")".
- e. Item (e) 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".
- f. Item (f) is in contravention of section V (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".
- g. Items (g) and (h) are in contravention of section III (14)(a) of the Minimum Housing and Health Standards which states that: "Every housing premises shall be provided with a food preparation area, which includes: (ii) cupboards or other facilities suitable for the storage of food; and (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned".

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Closed for Tenant Accommodation Purposes**.

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

- 1. That the occupants vacate the above noted premises on or before November 15, 2022.
- 2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure the property is supplied with electricity and all outlets, switches and fixtures are in good working condition.
 - b. Ensure the heating facilities are functional, in good working condition, and capable of safely heating all habitable rooms, bathrooms and toilet rooms to a temperature of at least 22 degrees Celsius.
 - c. Ensure the smoke alarm is always operational and in good repair.
 - d. 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").
 - e. Install insect screens on all openable windows used for ventilation before Spring 2023.
 - f. Hire a certified pest control company to conduct pest control treatments for the cockroach and fruit fly infestation. Copies of the pest control reports must be provided to Environmental Public Health for verification.
 - g. Remove, replace, and refinish all water damaged materials in the kitchen cabinets.
 - h. Repair or replace the counter in the kitchen so that they are in good repair and can be easily cleaned.

3. That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted premises shall remain closed for tenant accommodation purposes.

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, November 2, 2022 Confirmation of a verbal order issued to Fadil Murati on November 1, 2022.

Executive Officer
Environmental Health Officer

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

 ${\bf Email:} \ \underline{\bf HealthAppealBoard@gov.ab.ca}$

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.

Order of an Executive Officer – Closed for Tenant Accommodation – Order to Vacate

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Copies of standards are available by visiting: https://www.alberta.ca/health-standards-and-quidelines.aspx

Edmonton • Environmental Public Health

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

www.albertahealthservices.ca/eph.asp