Calgary and Area
Environmental Health
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www.calgaryhealthregion.ca/envhealth

EXECUTIVE OFFICER'S ORDER

TO: Jie Fang Wu
(the "**Owner**")

And To: All Occupants (the "**Occupants**") of those premises located in Calgary, Alberta and municipally described as:

6011 Thorncliffe Drive N.W.
Calgary, Alberta
T2K 3A2

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

6011 Thorncliffe Drive N.W.
Calgary, Alberta

INACTIVE

WHEREAS, pursuant to section 62 of the Public Health Act Chapter P-37 of the Revised Statutes of Alberta 2000, an Executive Officer who, following an inspection, has reasonable and probable grounds to believe that a nuisance exists in or on the place that was the subject of the inspection or that the place or the owner of it or any other person is in contravention of this Act or the regulations, the Executive Officer may issue a written order,

AND WHEREAS I, an Executive Officer of Alberta Health Services, have inspected the above noted premises and found to exist conditions which are or might become injurious or dangerous to the public health or that might hinder the prevention or suppression of disease or are in contravention of the Housing Regulation and/or the Nuisance and General Sanitation Regulation promulgated pursuant to Section 66 of the Public Health Act,

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Nuisance and General Sanitation Regulation, Alberta Regulation 243/03, the Housing Regulation, Alberta Regulation 173/99, and/or Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- Mould growth and conditions that support mould growth are evident within the premises. Excess heat and humidity produced during the plant growing activities are suitable conditions for mould growth. Mould growth is evident on drywall in the vicinity of the water meter. This is a breach of Section 2(1) of the Nuisance and General Sanitation Regulation and of Sections 3, 4 and 5 of the Housing Regulation.

- Tampering with the exhaust stacks from the furnace and hot water tank may result in combustion gases being discharged into the premises. This is a breach of Section 2(1)

of the Nuisance and General Sanitation Regulation and of Sections 3, 4 and 5 of the Housing Regulation.

- Electrical system has been tampered with and a hole has been cut through the south bedroom wall to bypass the meter. This is a breach of Section 2(1) of the Nuisance and General Sanitation Regulation and of Sections 3, 4 and 5 of the Housing Regulation.

- Surfaces throughout the growing and mixing areas are contaminated from the use of chemical/fertilizer solutions. This is a breach of Section 2(1) of the Nuisance and General Sanitation Regulation and of Sections 3, 4 and 5 of the Housing Regulation.

- Hoses are resting within barrels containing chemical solutions and may result in a backflow concern and contamination of the potable water supply. This is a breach of Section 2(1) of the Nuisance and General Sanitation Regulation and of Sections 3, 4 and 5 of the Housing Regulation.

- Structural and interior damages are evident in the premises, including:

  - a hole has been cut in flooring to pass venting pipe

  - a hole has been cut in the wall of one bedroom to allow access to the electrical meter

  This is a breach of Section 2(1) of the Nuisance and General Sanitation Regulation and of Sections 3, 4 and 5 of the Housing Regulation.

- CO_2 production is taking place fuelled by compressed propane gas. The storage and use of propane cylinders indoors is potentially hazardous This is a breach of Section 2(1) of the Nuisance and General Sanitation Regulation and of Sections 3, 4 and 5 of the Housing Regulation.

- Services have been turned off. This is a breach of Section 2(1) of the Nuisance and General Sanitation Regulation and of Sections 3, 4 and 5 of the Housing Regulation.

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **unfit for human habitation**;

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

1. That the above noted premises be vacated immediately.

2. That the above noted premises be **secured from any and all unauthorized entry**.

3. That all products that may rot or decay be removed from the premises and properly disposed of.

4. That **permission to enter is received in writing** from the undersigned or a designated alternate Executive Officer of Alberta Health Services.

5. That, if the above noted premises are to be reoccupied, the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

INACTIVE

a. Retain the services of an **Environmental Health or Indoor Air Quality Consultant** to:

(i) assess the conditions within the above noted premises including the carrying out of environmental air quality analyses of the interior spaces (including the attic, wall and floor cavities, and crawlspaces) for water and mould damage; and

(ii) prepare for review by Alberta Health Services a detailed assessment report and scope of work plan, including a hazardous materials audit and management plan.

Testing and reporting shall follow the requirements outlined in Alberta Health Services' Fungal Air Testing Protocol and must include extensive intrusive and destructive testing and shall and must include inspection and assessment of hidden cavities and surfaces such as, but not limited to, cutting access holes (or using boroscopes) into walls and ceilings, lifting carpets or vinyl sheet flooring, removing wallpaper for investigation purposes. The consultant's report shall describe, amongst other things, the building construction, finishes, materials and components and the results of their investigations along with recommendations for restoration, repair, and the remediation as required for reoccupation of the building. ***The Consultant should have current, active membership in a related professional organization or certifying body and shall be first approved in writing by Alberta Health Services*.**

- **Due to the potential for moisture issues, extensive intrusive testing must be performed throughout all levels to ensure no hidden moisture concerns or moulds exist between internal and external walls. The insulation, vapour barrier and external wall sheathing shall be thoroughly examined for damages, moisture, and suspect mould growth.**

b. **Prior to performing any work inside the above noted premises** apply for and obtain all permits and approvals required by law, including, but not limited to, Environmental Restoration, Electrical, Plumbing, Gas and/or Mechanical permits. (The Environmental Restoration permit may require that you obtain the services of a **Professional Engineer (Alberta)** to provide an intended Scope of Work report which shall describe the building construction, finishes, materials and components and the results of their investigations along with recommendations for restoration, repair, and remediation as required for reoccupation of the building. Any such Report shall be forwarded to Alberta Health Services.) ***It is important that services (electricity and natural gas) be reinstated to allow the provision of light, heat and hot water to facilitate proper cleaning.***

c. Retain the services of contractors to make all structural, electrical, and mechanical repairs necessary, all in compliance with applicable codes and regulations, and thereafter provide Alberta Health Services with a report or reports from such contractor or contractors confirming the work performed. ***It is recommended that the cleaning and restoration work be carried out by a member in good standing of the Better Business Bureau (BBB), and/or the Institute of Inspection, Cleaning and Restoration (IICRC), the***

INACTIVE

Environmental Services Association of Alberta (ESAA) or an equivalent professional body.

- **All damages shall be properly repaired, inspected and reported on as to the suitability of the repairs prior to replacement of new materials.**

- **NOTE THAT ALL INSPECTIONS MUST BE PERFORMED PRIOR TO COVERING UP ANY REPAIR OR INVESTIGATION SITES**

d. Retain the services of a restoration and mould remediation specialist, approved by Alberta Health Services, to remove and replace or clean, as required, any and all drywall, building materials, and finishing materials, or any other item that is or may be water damaged, infested with or damaged by mould or bacteria or otherwise contaminated with chemicals or other substances of concern, all in accordance with the direction required at item 4.a, above. (Reference should be made to Mould Guidelines for the Canadian Construction Industry located at www.cca-acc.com/mould/.) ***It is recommended that the cleaning and restoration work be carried out by a member in good standing of the Institute of Inspection, Cleaning and Restoration or an equivalent professional body***.

- **All materials related to the plant growing operation that are remaining behind, including pots, soil, fans, lights, cutting tools, chemicals and general rubbish, shall be removed and disposed of and a manifest attesting to this disposal provided to Alberta Health Services.**

- **All furnishings and window coverings throughout shall be removed and professionally cleaned or disposed of and shall not be stored in an attached garage due to the chance of recontamination.**

- **Building products requiring removal shall be tested for asbestos content where deemed necessary by the professional consultant.**

- **All paneling, drywall, vapour barrier, insulation throughout the basement and the basement stairway, including ceilings and rim board areas, shall be removed and disposed of. All wood framing throughout the basement shall be removed and disposed of. All concrete basement walls and floors shall then be thoroughly washed with detergent and water and quickly dried. The concrete basement floor shall not be covered or painted until after remediation and air sampling is complete and has been accepted by Alberta Health Services.**

- **All carpeting throughout the premises shall be either cleaned or removed, based on the professional opinion of the environmental consultant.**

- **All attic insulation shall be removed and disposed of and replaced with new materials and vapour barrier shall be inspected for soundness and repaired or replaced as necessary. The roof sheathing and roof trusses must be thoroughly cleaned, inspected for damage, and repaired or replaced. Detailed photographic evidence of the attic space and the**

INACTIVE

conditions within shall be taken and submitted to Alberta Health Services along with the initial assessment report.

- **All remaining hard surfaces throughout, including but not limited to walls, floors, doors, cupboards, shall be thoroughly washed with detergent and water.**

e. Ensure that additional, general renovation work, including painting, reinstallation of drywall and laying of new flooring and/or sub floors does not occur until suitable air sample results are received and submitted and the work identified at items 5.a, 5.b, 5c. and 5.d has been completed to the satisfaction of Alberta Health Services.

f. Ensure that general renovation work, including painting, reinstallation of drywall and laying of new flooring and/or sub flooring is completed to the satisfaction of Alberta Health Services.

g. Properly dispose of all chemicals and produce a valid manifest attesting to such proper disposal. Chemicals and chemical mixtures are **not to be disposed of in the sanitary nor storm sewers.**

h. Retain the services of a licensed furnace company to inspect and clean the furnace and all ducts within the premises. Furnace cleaning shall take place as a final step after the completion of all remediation work but before final air sampling. ***It is recommended that the furnace cleaning company be a member in good standing of the Better Business Bureau (BBB) and/or the National Air Duct Cleaners Association or an equivalent professional body***.

i. Ensure that water, gas and electrical services are properly reinstated by the providers of such utility services.

j. Ensure that the water distribution system is thoroughly flushed to remove all stagnant water, microorganisms, and any leachates/particulates from plumbing materials and that a sample of the cold water is taken and submitted to a laboratory for bacteriological analysis.

k. Provide a detailed remediation and repair report which includes copies of all disposal manifests for removed materials, invoices for new, replacement materials, work orders, receipts, results, photos, inspection certificates and any other documentation pertaining to the work required hereby to Alberta Health Services.

l. Take any further steps in the interests of preserving and maintaining the health of any person who may, in the future, occupy the above noted premises as may be required by the Executive Officer.

That, until such time as the work referred to in paragraph 5 is completed to the satisfaction of the undersigned or by an another executive officer of Alberta Health Services, the above noted premises shall remain vacant and shall be secured from unauthorized entry. Entry may be authorized only for the purposes of complying with this Order, and full personal protective

INACTIVE

equipment should be worn. Until otherwise directed by Alberta Health Services, full personal protective equipment should be worn by any person seeking entry.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further repairs may be required to ensure full compliance of the Housing Regulation and/or the Nuisance and General Sanitation Regulation, or to prevent a Public Health Nuisance.

This order remains in effect until the nuisance has been corrected to the satisfaction of an Executive Officer of Alberta Health Services. Failure to comply with this order will result in further action.

No person shall conceal, deface, destroy, or remove a notice posted pursuant to the Public Health Act.

Dated at Calgary, Alberta, this 3rd day of August, 2010.

Vicki Wearmouth, CPHI(C)
Executive Officer/Public Health Inspector

INACTIVE

Section 5(2) of the Public Health Act provides that a person who is directly affected by this Order and considers himself or herself aggrieved hereby may appeal the same to the Public Health Appeal Board, 21st Floor, Telus Plaza North Tower, 10025 Jasper Avenue, Edmonton AB T5J 1S6, within ten (10) days. The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal.

The Owner is advised that the Public Health Act empowers Alberta Health Services to carry out the terms of this Order on the Owner's behalf and at the Owner's expense should the Owner fail to comply with the terms hereof.