

IN THE MATTER OF THE PUBLIC HEALTH ACT – ALBERTA
ORDER OF AN EXECUTIVE OFFICER

- To:** Sherisse Grant
101, 1826 – 11 Ave SW
Calgary, Alberta T3C 0N6
- And To:** All Occupants of those premises located in Calgary, Alberta and municipally described as:

101, 1826 – 11 Ave SW
Calgary, Alberta
- Re:** Those premises located in Calgary, Alberta and municipally described as:

101, 1826 – 11 Ave SW
Calgary, Alberta

WHEREAS I, an **Executive Officer** of the **Calgary Health Region**, 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 the prevention or suppression of disease, namely:

- a. Suite door and frame is in serious disrepair and does not allow the door to be secured.
- b. There is no working smoke alarm installed in the suite.
- c. Elements are missing from the stove.
- d. There is a large area of tiles missing from the bathtub surround; possible water damage and mould beneath.
- e. Bathtub does not form a watertight seal with the surrounding walls.
- f. There is a hole in the living room ceiling with possible mould on the ceiling around the hole.
- g. There are holes in walls throughout the suite.

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

- a. Suite door and frame is in serious disrepair and does not allow the door to be secured, which is in contravention of Section 3(a), to wit: "Exterior windows and doors shall be capable of being secured".
- b. There is no working smoke alarm installed in the suite, which is in contravention of

- Section 12(a), to wit: "Smoke alarms shall be operational and in good repair at all times".
- c. Elements are missing from the stove, which is in contravention of Section 14(a)(iv), to wit: "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".
 - d. There is a large area of tiles missing from the bathtub surround; there is possible water damage and mould beneath. The bathtub does not form a watertight seal with the surrounding walls. These items are in contravention of Section 5(a), to wit: "Rooms containing a flush toilet and/or 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".
 - e. There is a hole in the living room ceiling with possible mould on the ceiling around the hole and there are holes in walls throughout the suite. These items are in contravention of Section 5, to wit: "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".

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 no later than 8:00 pm, on Wednesday, the 17th day of May, 2006.
2. 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:
 - a. Repair or replace the suite door and door frame to make the door capable of being properly secured.
 - b. Install a working smoke alarm.
 - c. Replace stove elements and ensure the stove is working properly.
 - d. Remove any water damaged and/or mouldy materials from the bathtub surround. Repair the bathtub surround so that it is smooth, easily cleanable, and impervious to moisture and seal it to the bathtub so that a watertight joint is formed.
 - e. Repair any source of water into the living room ceiling. Remove any water damaged and/or mouldy materials from the ceiling and repair the hole.
 - f. Repair wall finishes throughout so that they are free of holes.
3. That, until such time as the work referred to in a, b and c of paragraph 2 is completed to the satisfaction of the undersigned, or an executive officer of the Calgary Health Region, the above noted premises shall remain vacant and secured from unauthorized entry. The work referred to in d, e, and f of paragraph 2 is to be completed within 30 days of the suite being re-occupied.

Dated at Calgary, Alberta, this 23rd day of May, 2006.

Karen Clarke, CPHI(C)
Executive Officer
Calgary Health Region

The Owner is advised that the Public Health Act empowers the Calgary Health Region 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.

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, 24th Floor, Telus Plaza North Tower, 10025 Jasper Avenue, Edmonton AB T5J 2N3, within ten (10) days. The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal.

Banff

303 Lynx Street
PO Box 1266
Banff, AB T1L 1B3
Phone: 403-762-2990
Fax: 403-762-5570

Calgary/Mountain View/Rocky View

Centre 15
1509 Centre Street SW
Calgary, AB T2G 2E6
Phone: 403-943-8060
Fax: 403-943-8056

Canmore

#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
Fax: 403-678-5068

Claresholm

5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403 625-4061
Fax: 403-625-4062

Okotoks

11 Cimarron Commons
Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

Strathmore

Public Health Building
650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-934-3454
Fax: 403-934-3827