



calgary health region

**Southeast Community Portfolio
Centre 15**

Environmental Health
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EXECUTIVE OFFICER'S ORDER

TO: Ken J. A. Holmberg
1517 – 16 St., PO Box 1378
Didsbury, AB., T0M 0W0

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

**# 2, 1432 – 22 Ave.
Didsbury, Alberta**

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 the Calgary Health Region, have inspected the above noted premises and found to exist the following 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, Minimum Housing and Health Standards and/or the Nuisance and General Sanitation Regulation promulgated pursuant to Section 66 of the Public Health Act, namely:

1) Mould growth, conditions that support mould growth, and structural and interior damage are evident within the premises as described below. .

- The humidity level in this home feels very high.
- The inside of the windows are covered with condensation.
- It appears attempts have been made to cover over rotten/mouldy walls, ceilings and window frames throughout this dwelling.
- There are areas of mould or rot on the walls, ceilings and window frames throughout this dwelling.
- The kitchen ceiling appears water damaged. The ceiling is bulging/sagging in between the 1"x6" boards that have been nailed to the ceiling. The damaged area has been plastered over. The plaster is breaking away exposing mould underneath.
- There are two small patches of mould on the textured ceiling in the northeast corner of the living room. There appears to be water damage in this area.
- The northeast and southeast corners of the walls in the living room are mouldy and rotten.
- There is mould on the ceiling in the small closet adjacent to the front entry door.
- There is mould on the ceiling in the small closet adjacent to the bathroom.

- The interior walls of both bedroom closets are very mouldy. An attempt has been made to cover these walls.
- 2) There are mouse droppings on the floor in the closet adjacent to the front entry door.

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

- 1) The mould growth, humidity and structural damage are contraventions of :
 - a. Housing Regulation 173/99, section 5(2) "No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease."
 - b. The Minimum Housing and Health Standards, Section 1(a) "The housing Premises shall be structurally sound" (b) ."Basements, cellars, and crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation." And (c) "A housing premises that has building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- 2) The mouse droppings indicate a contravention of the Minimum Housing and Health Standards, Section 16(a) "The owner shall ensure that the housing premises are free of insect and rodent infestations."

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, 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) Retain the services of a **licensed restoration and mould remediation specialist, approved by Calgary Health Region** to assess the conditions within the above noted premises including analyses of the interior spaces, including the attic, wall and floor cavities, and crawlspaces for water and mould damage. Assessment shall 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..
 - b) Retain the services of a **licensed restoration and mould remediation specialist, approved by Calgary Health Region**, 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. (Reference should be made to Mould Guidelines for the Canadian Construction Industry located at www.cca-acc.com/mould/. All affected paneling, drywall, vapour barrier, carpeting, underlay and insulation throughout the dwelling shall be

removed and disposed of and all wood framing shall be professionally assessed for suitability after cleaning.

- c) All concrete foundation walls or floors shall be thoroughly washed with detergent and water and quickly dried.
- d) All remaining carpeting throughout the premises shall be professionally cleaned or replaced.
- e) All furnishings and soft window coverings throughout shall be removed and professionally cleaned or disposed.
- f) All damaged or rotten window frames throughout the dwelling shall be removed and disposed of and replaced with new materials.
- g) All remaining hard surfaces throughout, including but not limited to walls, floors, doors, cupboards, shall be thoroughly washed with detergent and water
- h) Prior to performing any work inside the above noted premises, Obtain all necessary building permits that may be required by the local Safety Codes Officer.
- i) Retain the services of a licensed furnace company to inspect and clean the furnace and all ducts within the premises.
- j) Provide a detailed report describing the source of the moisture and water damage in this dwelling.
- k) An inspection is required by an executive officer of the Calgary Health Region prior to reconstruction following removal of rotten, damaged and/or mouldy building materials from this dwelling.
- l) Make necessary repairs to eliminate all sources of water infiltration or excess moisture in this dwelling.

That, until such time as the work referred to in paragraph 3 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 shall be secured from unauthorized entry. Entry is authorized only for the purposes of complying with this Order. The use of full personal protective equipment is recommended by any person seeking entry to this dwelling until otherwise directed by Calgary Health Region.

This order remains in effect until the nuisance has been corrected to the satisfaction of an Executive Officer of the Calgary Health Region. 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 15th day of December, 2006.

Grant P. Mahalek, CPHI(C)
Executive Officer/Public Health Inspector

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 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.