

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

To: Abdulahad Joseph Keryo
A.J.K. Development Ltd.
402, 1113 – 37 Street SW
Calgary, Alberta T3C 1S5

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

334 – 14 Avenue 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. Many suites do not have working smoke alarms installed
- b. Staircases lack handrails.
- c. Suite 26 has no sink for food preparation and in some suites the kitchen appliances are not in good working order.
- d. The laundry room ceiling is in disrepair. There is a water leak of unknown origin down one wall of the laundry room area.
- e. Some bathroom plumbing fixtures have been removed or are unusable due to being in disrepair.
- f. Bathrooms and common hallways throughout the building are in an unsanitary condition.
- g. Bathroom floors, walls, and ceilings are in serious disrepair. There is water damage, mould, holes, and missing drywall in many areas of most of the bathrooms. Flooring includes broken/loose/missing ceramic tiles and linoleum which is not sealed at the edges. There is deteriorated grouting, rusted joints, and rotted wood exposed around the shower stalls.
- h. The north bathroom on the main floor and the basement bathrooms appear to have had some source of water leaking into the ceilings.
- i. There are damages to finishes in individual suites including water damaged ceilings and holes in walls.
- j. Suite 16 has a water leak from the ceiling whenever the toilet above is flushed.
- k. There are numerous areas of damage to common hallway walls and ceilings including water damage and holes.
- l. The drywall in the furnace room has mould growth.
- m. Numerous mouse droppings were observed throughout the building.

- n. There are several abandoned suites containing excessive garbage and rotting food. There are numerous flies in and around these rooms.

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:

- a. Many suites do not have working smoke alarms installed which is in contravention of Section 12: "Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway", and Section 12(a): "Smoke alarms shall be operational and in good repair at all times".
- b. Suite 16 has a water leak from the ceiling when the toilet above is flushed. This is in contravention of Section 6(c): "All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside".
- c. Staircases lack handrails. This is in contravention of Section 3(c): "Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design".
- d. Suite 26 has no sink for food preparation and in some suites the kitchen sinks and appliances are not in good working order, which is in contravention of Section 14(a)(i) and (iv): "Every housing premises shall be provided with a food preparation area, which includes a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation; and a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C (40 degrees F)".
- e. The laundry room ceiling is in disrepair. There are damages to finishes in individual suites including water damaged ceilings and holes in walls. There are numerous areas of damage to common hallway walls and ceilings including water damage and holes. This is in contravention of Section 5: "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".
- f. Bathroom floors, walls, and ceilings are in serious disrepair. There is water damage, mould, holes, and missing drywall in many areas of most of the bathrooms. Flooring includes broken/loose/missing ceramic tiles and linoleum which is not sealed at the edges. There is deteriorated grouting, rusted joints, and rotted wood exposed around the shower stalls. This is in contravention of Section 5, cited above, and 5(a): "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".
- g. Bathrooms and common hallways throughout the building are in an unsanitary condition. This is in contravention of Section 16: "The owner shall ensure that all rooms and other areas used in common by the occupants of individual dwellings are maintained in a clean and sanitary condition".
- h. Numerous mouse droppings were observed throughout the building, which is in contravention of Section 16 (a): "The owner shall ensure that the housing premises are free of insect and rodent infestations".

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

1. That tenants inhabiting the above noted premises be **vacated** no later than 5:00 pm, on Saturday, the 30th day of September, 2006.
2. That, if the above noted premises are to be reoccupied by the public, 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 bathroom fixtures so they are operational, free of leaks, and accessible at all times.
 - b. Install a working smoke alarm in every occupied suite.
 - c. Install handrails on staircases throughout.
 - d. Provide all kitchen equipment required by the Minimum Housing and Health Standards and ensure they are working properly, including a kitchen sink supplied with potable hot and cold water, a stove, and a refrigerator.
 - j. Determine and correct and sources of water into the ceilings of bathrooms, suites and hallways throughout the building.
 - f. Remove all mouldy and water damaged materials from the floors, walls and ceilings of the bathrooms, individual suites, common hallways, laundry room and the furnace room prior to repairing the finishes.
 - k. Repair all bathroom finishes on floors, walls, ceilings, and bathtub/shower stalls so that they are smooth, easily cleanable, and non-absorbent to moisture.
 - l. Contract a licensed pest control operator to rid the building of mice.
 - m. Clean the vacant suites, common bathrooms and hallways and maintain them in a sanitary condition at all times.
3. That, beginning at 5:00 pm on Saturday, the 30th day of September 2006, and continuing until such time as the work referred to in 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 **closed for tenant accommodation purposes**.

Dated at Calgary, Alberta, this 15th day of September, 2006. This is written confirmation of the verbal order given to caretaker Ely Campbell on the 13th day of September, 2006.

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

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

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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.

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.

Airdrie

Airdrie Public Health Centre
604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
Fax: 403-912-8410

Banff

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

Calgary/Mountain View/Rocky View

Calgary Health Region, Centre 15
1509 Centre Street SW
Calgary, AB T2G 2E6
Phone: 403-943-8060
Fax: 403-943-8090

Canmore

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

Claresholm

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

Didsbury

Didsbury Health Unit
PO Bag 130
1210 -20th Avenue
Didsbury, AB T0M 0W0
Phone: 403-335-7292
Fax: 403-335-7610

Okotoks

Okotoks Public Health Centre
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