

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

To: Mainstreet Equity Corporation
1413 – 2 Street SW
Calgary, Alberta T2R 0W7

Sheena Keslick, Manager
Mainstreet Equity Corporation
100, 1122 – 8 Avenue SW
Calgary, Alberta T2P 1J5

Joseph Amantea, Director
Mainstreet Equities Corporation
1413 – 2 Street SW
Calgary, Alberta T2R 0W7

Darrell Cook, Director
Mainstreet Equities Corporation
8 Varsplain Place NW
Calgary, Alberta T3Z 0C7

Navjeet Dhillon, Director
2304 State Road SW
Calgary, Alberta T3C 3M6

Richard Grimaldi, Director
38 Ferry Land East
Westport, Connecticut 06880
U.S.A.

Lawrence Tapp, Director
1024 – 196A Street
Langley, British Columbia V2Z 1W4

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

101, 1431 – 37 Street 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. There are two separate rooms, one to the north and one to the south of the living room, which lack windows. The layout of these rooms may cause them to be interpreted and used as bedrooms by tenants.
- b. No measures are in place to prevent tenants from using these rooms for sleeping purposes.
- c. One of the rooms without windows was being used as a bedroom at the time of inspection.

AND WHEREAS such inspection disclosed the following breaches of the Minimum Housing and Health Standards under the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, namely:

- a. One of the rooms without windows was being used as a bedroom at the time of inspection. This is in contravention of Section 3(b): "For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge. Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8 ft²), with no dimension less than 380 mm (15)".
- b. One of the rooms without windows was being used as a bedroom at the time of inspection. There is no mechanical ventilation to this room. This is in contravention of Section 4: "All rooms used for sleeping shall be provided with (a) openable window area of 0.28m² (3.0 ft²); or (b) mechanical ventilation in conformance with the requirements of the Alberta Building Code."

AND WHEREAS, by virtue of the foregoing, the 2 rooms adjoining the living room to the north and south are hereby declared to be **closed for sleeping purposes**;

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

1. That the owner ensures the tenant(s) cease using the above noted rooms for sleeping purposes IMMEDIATELY.
2. The above noted rooms shall remain **closed for sleeping purposes**.
3. That the owner take all reasonable steps necessary to ensure the rooms without windows are not used as bedrooms by all current and future tenants.

Dated at Calgary, Alberta, this 13th day of February, 2007. This is confirmation of the verbal order given to Mainstreet Equity Corporation on February 9, 2007.

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 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

www.calgaryhealthregion.ca/envhealth