

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

**To:** 1176251 Alberta Inc  
HAYER, BETTY & HAYER, ASHA  
#2102 683 10<sup>th</sup> Street SW  
Calgary, Alberta T2P 5G3

**And To:** All Occupants of those premises located in municipality, Alberta and municipally described as:

1714 17<sup>th</sup> Avenue SW  
Calgary, Alberta

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

1714 17<sup>th</sup> 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. Floor covering in the upstairs washroom is lifting/damaged.
- b. Mould growth is noted on the wall coverings in the basement.
- c. Ceiling in larger bedroom downstairs is damaged.
- d. Walls in larger downstairs area bedroom are damaged.
- e. Walls in laundry room are damaged.
- f. Floor covering in laundry room is lifting/damaged.
- g. Floor area on the landing at the bottom of the stairs is damaged.
- h. Carpet in the larger downstairs bedroom is damp possibly due to a plumbing leak from the washroom located above it.
- i. Numerous mouse droppings are noted in the kitchen cupboards and drawers.

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. Floor covering in the upstairs washroom is lifting/damaged. Section 5(a) of the Minimum Housing and Health Standards states that: 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.
- b. Mould growth is noted on the wall coverings in the basement. Section 1(c) of the Minimum Housing and Health Standards states that: Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
  - c. Ceiling in larger bedroom downstairs is damaged. Section 5 of the Minimum Housing and Health Standards states that: 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.
  - d. Walls in larger downstairs area bedroom are damaged. Section 5 of the Minimum Housing and Health Standards states that: 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.
  - e. Walls in laundry room are damaged. Section 5 of the Minimum Housing and Health Standards states that: 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. Floor covering in laundry area is lifting/damaged. Section 5 of the Minimum Housing and Health Standards states that: 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.
  - g. Floor area on the landing at the bottom of the stairs is damaged. Section 5 of the Minimum Housing and Health Standards states that: 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.
  - h. Carpet in the larger downstairs bedroom is damp possibly due to a plumbing leak from the washroom located above it. Section 5 of the Minimum Housing and Health Standards states that: 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.
  - i. Carpet in the larger downstairs bedroom is damp possibly due to a plumbing leak from the washroom located above it. Section 6(c) of the Minimum Housing and Health Standards states that: All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
  - j. Numerous mouse droppings are noted in the kitchen cupboards and drawers. Section 16 of the Minimum Housing and Health Standards states that: 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 **CLOSED FOR TENNANT ACCOMMODATION PURPOSES.**

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

1. That tenants inhabiting the above noted premises be **vacated** no later than 4:30 PM, on Friday, the 24th day of August, 2007.
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. Floor covering in the upstairs washroom is lifting/damaged. Repair or replace the washroom flooring to ensure that it meets the following condition: 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.
- b. Mould growth is noted on the wall coverings in the basement: replace the affected basement wall coverings and any other affected materials. In addition, the source of moisture causing the mould must be identified and eliminated.
- c. Ceiling in larger bedroom downstairs is damaged. Repair the noted ceiling to a state that renders it in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
- d. Walls in larger downstairs area bedroom are damaged. Repair the noted walls to a state that renders them in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders them easy to clean.
- e. Walls in laundry room are damaged. Repair the noted walls to a state that renders them in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
- f. Floor covering in laundry room is lifted/damaged. Repair the noted floor to a state that renders it in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
- g. Floor area on the landing at the bottom of the stairs is damaged. Repair the floor area to a condition that renders it in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
- h. Carpet in the larger bedroom downstairs is damp possibly due to a plumbing leak from the washroom located above it. Remove and replace the noted carpet and underlay and make whatever plumbing repairs necessary to ensure the condition does not recur.
- i. Numerous mouse droppings are noted in the kitchen cupboards and drawers. Undertake whatever means required to ensure that the housing premises are free from insect or rodent infestation.

That, 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 23rd day of August, 2007.

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Brent Kerstiens  
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, 24<sup>th</sup> 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.***

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**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 2<sup>nd</sup> 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](http://www.calgaryhealthregion.ca/envhealth)