



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

**To:** Jarrah, Mohamad  
384 Whiteridge Crs NE  
Calgary, Alberta T1Y 2Z1  
(the “**Owner**”)

**And To:** All Occupants (the “**Occupants**”) of those premises located in municipality, Alberta and municipally described as:

123 Templevale PI NE basement  
Calgary, Alberta T1Y 4V6

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

123 Templevale PI NE basement  
Calgary, Alberta T1Y 4V6

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 is no smoke alarm.
- b. The two bedrooms have security bars on the windows with no key provided for the locks.
- c. There is no stove in the suite.
- d. There is moisture under the kitchen floor verified using a moisture meter.
- e. There is moisture under the washroom floor verified using a moisture meter.
- f. There is a water leak of unknown origin infiltrating the sub-floor of the kitchen and washroom.
- g. The kitchen sink drain leaks into the cupboard below.

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. The absence of a smoke alarm is in contravention of the Minimum Housing and Health Standards, 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.”
- b. The bedroom windows with no keys provided for the locks on the security bars are

- a contravention of the Minimum Housing and Health Standards, Section 3(b)(ii) "For buildings 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 a least one outside window which may be opened from the inside without the use of tools or special knowledge. If the window referred above is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge."
- c. The absence of a stove is a contravention of the Minimum Housing and Health Standards, Section 14(a)(iv) "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. The water infiltrating the kitchen sub-floor is a contravention of the Minimum Housing and Health Standards, 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."
  - e. The water infiltrating the washroom sub-floor is a contravention of the Minimum Housing and Health Standards, 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. The water leak of unknown origin infiltrating the kitchen and washroom sub-floors are a contravention of the Housing Regulation, Alberta 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."
  - g. The water leaking from the kitchen sink drain is a contravention of the Minimum Housing and Health Standards, Section 6(a) "The plumbing system and sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition."

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **closed for tenant accommodation purposes;**

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

1. That tenants inhabiting the above noted premises be **vacated** no later than 4 PM, on Monday, the 2<sup>nd</sup> day of June, 2008.
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. Install a smoke alarm and locate in an area that complies with the Minimum Housing and Health Standards.
  - b. Provide keys for the locks on the bedroom windows.
  - c. Provide a stove.
  - d. Remove kitchen linoleum and any sub-floor that is water damaged, rotting and/or

- e. mouldy.
  - f. Remove washroom flooring and sub-floor that is water damaged, rotting and/or mouldy.
  - g. Identify and correct the source of the water infiltration into the subfloor.
  - h. Repair the water leaking from the kitchen sink drain.
3. 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 25<sup>th</sup> day of May, 2008.

---

Ivan Rukavina, B. Tech., 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, 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.***

---

**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)