

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

To: Donald G. Wilson
PO Box 8, Site 1, RR1,
Didsbury, Alberta, T0M 0W0
(the “**Owner**”)

And To: Deborah L. Wilson
PO Box 8, Site 1, RR1,
Didsbury, Alberta, T0M 0W0
(the “**Owner**”)

Re: Those premises located in Didsbury, Alberta and municipally described as:
1428 – 21 Avenue
Didsbury, 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. The kitchen sink is leaking.
- b. The in-floor gas furnace between the bedrooms is not operational.
- c. The multiple electrical switch plate in the kitchen is missing.
- d. The floor in the living-room and kitchen has a significant slope.
- e. There are cracks and holes in the walls in both bedrooms.
- f. There are cracks and holes in the kitchen walls.
- g. There are cracks and holes in the living-room walls.
- h. There is peeling paint and damaged drywall in the bathroom.
- i. The structural integrity of the building is questionable due to potentially substandard floor joists (ie.- 2 X 6 inch floor joists at 24 inch on-centre).
- j. The structural integrity of the building is questionable due to observed building subsidence as indicated by separations in the north and south exterior walls and foundation.
- k. There are single glazed windows in the north entryway.
- l. There are broken windows in the north entryway.

- m. There are no eaves troughs or downspouts except at the southeast end of the home near the front entrance.
- n. The north 2 X 6 inch decking at the north entrance is rotten.
- o. There is a very deep hole under the deck at the north entrance that is not adequately covered by a permanent structurally sound cover.
- p. There is what appears to be a large open pit well under the deck at the north entrance that is not covered by a permanent structurally sound cover.
- q. The railing surrounding the north deck is rotten.
- r. Front wooden steps and railings are rotten.

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 kitchen sink is leaking. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 6 (c).
- b. The in-floor gas furnace between the bedrooms is not operational. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 8 (a)(i).
- c. The multiple electrical switch plate in the kitchen is missing. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 11.
- d. The floor in the living room and kitchen has a significant slope. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 1 (a), (b), (c) and (d).
- e. There are cracks and holes in the walls in both bedrooms. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 5.
- f. There are cracks and holes in the kitchen walls. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 5 (b).
- g. There are cracks and holes in the living room walls. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 5.
- h. There is peeling paint and damaged drywall in the bathroom. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 5 (a).
- i. The structural integrity of the building is questionable due to potentially substandard floor joists (ie. - 2 X 6 inch floor joists at 24 inch on-centre). This is a breach of the “Minimum Housing and Health Standards”, specifically Section 1 (a) and (d).
- j. The structural integrity of the building is questionable due to observed building subsidence as indicated by separations in the north and south exterior walls and foundation. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 1 (a), (b), (c) and (d).
- k. There are single glazed windows in the north entryway. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 2 (b)(ii).
- l. There are broken windows in the north entryway. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 2 (b)(ii).
- m. There are no eaves troughs or downspouts except at the southeast end of the home near the front entrance. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 2 (a).
- n. The north 2 X 6 inch decking at the north entrance is rotten. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 3 (c).

- o. There is a very deep hole under the deck at the north entrance that is not adequately covered by a permanent structurally sound cover. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 1 (a) and (b).
- p. There is what appears to be a large open pit well under the deck at the north entrance that is not covered by a permanent structurally sound cover. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 1 (a) and (b).
- q. The railing surrounding the north deck is rotten. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 3 (c).
- r. Front wooden steps and railings are rotten. This is a breach of the “Minimum Housing and Health Standards”, specifically Section 3 (c).

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, 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 the leaking kitchen sink.
 - b. Ensure the in-floor gas furnace between the bedrooms is operational and can maintain the bedrooms at 22 Degrees Celsius.
 - c. Replace the missing multiple electrical switch plate in the kitchen.
 - d. Level the floor in the living-room and kitchen according to the Alberta Building Code or a Professional Engineer design.
 - e. Repair the cracks and holes in the walls in both bedrooms.
 - f. Repair the cracks and holes in the kitchen walls.
 - g. Repair the cracks and holes in the living-room walls.
 - h. Repair the peeling paint and damaged drywall in the bathroom.
 - i. Confirm the structural integrity of the building complies with the requirements of the Alberta Building Code or a Professional Engineer design.
 - j. Confirm the structural integrity of the foundations of this building comply with the requirements of the Alberta Building Code or a Professional Engineer design.
 - k. Provide all windows with a storm sash, double glazing or other durable thermal/air resistant barrier.
 - l. Repair broken windows in the north entryway.
 - m. Provide eaves troughs and downspouts for the entire home.
 - n. Replace the rotten decking, railing and support structure at the north entrance door.
 - o. Provide a permanent structurally sound cover over the deep hole under the deck at the north entrance.
 - p. Provide a suitable permanent structurally sound cover over what appears to be a large open pit well under the deck at the north entrance.

- q. Repair or replace the rotten railing surrounding the north deck.
- r. Replace or repair the rotten front wooden steps and railings.
- s. All repairs, modifications and assessments of any structural element of the housing premises require the design and/or supervision of a Professional Structural Engineer or a Safety Codes Officer (Building Discipline).

2. That, until such time as the work referred to in paragraph 1 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 and secured from unauthorised entry.**

Dated at Airdrie, Alberta, this 5th day of December, 2008, confirming a verbal order issued on the 3rd day of December, 2008.

Grant P. Mahalek
Public Health Inspector / 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.

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604 Main Street South
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Banff
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Calgary/Mountain View/Rocky View
Calgary Health Region,
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Canmore
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#104, 800 Railway Avenue
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Claresholm
Claresholm Public Health
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Didsbury
Didsbury Health Unit
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Okotoks
Okotoks Public Health Centre
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Strathmore
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Strathmore, AB T1P 1H8
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ORDER OF AN EXECUTIVE OFFICER

Re: Thos premises located in Didsbury, Alberta and municipally described as 1428 – 21 Ave., Didsbury, Alberta

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