

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

To: Jim Adamchick and Richard Anderson - Executors

Estate of: Ken J. A. Holmberg
Box 1557
Didsbury, AB., T0M 0W0

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

1432 22 Ave units 1, 2, 3, and 4
Didsbury, Alberta

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

1432 22 Ave
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) Water is entering suites through the ceiling throughout suites 2, 3, and 4
- b) There are areas of mould or rot on the walls, ceilings and window frames throughout units 2, 3, and 4.
- c) The ceiling is water damaged. The ceiling has fallen in suites 2, 3, and 4.
- d) Standing water is present on the floor in suites 2, 3, and 4.
- e) The ceiling is bulging in suite 1 and appears ready to fall.
- f) Mould is starting to appear in the plaster on the bedroom wall in suite 1.
- g) The humidity level is elevated due to the water entering suites 2, 3, and 4.
- h) The electrical system of the building is in question due to the water entering the building interior.

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:

- 1) The mould growth, humidity and structural damage are contravention of:
 - a. Housing 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.”

- b. The Minimum Housing and Health Standards, Section 1
 - (a) “The housing Premises shall be structurally sound”
 - (b) .”Basements, cellars, and crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.” And ,
 - (c) “A housing premises that has building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **unfit for human habitation**;

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

1. That the above noted premises be vacated no later than 12:00pm, on Friday, the 23rd day of May, 2008.
2. That, if the above noted premises are to be reoccupied, the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a) Retain the services of a **licensed restoration and mould remediation specialist, approved by Calgary Health Region** to assess the conditions within the above noted premises including analyses of the interior spaces, including the attic, wall and floor cavities, and crawlspaces for water and mould damage. Assessment shall include inspection and assessment of hidden cavities and surfaces such as, but not limited to, cutting access holes (or using boroscopes) into walls and ceilings, lifting carpets or vinyl sheet flooring, removing wallpaper for investigation purposes..
 - b) Retain the services of a **licensed restoration and mould remediation specialist, approved by Calgary Health Region**, to remove and replace or clean, as required, any and all drywall, building materials, and finishing materials, or any other item that is or may be water damaged, infested with or damaged by mould or bacteria or otherwise contaminated with chemicals or other substances of concern. (Reference should be made to Mould Guidelines for the Canadian Construction Industry located at www.cca-acc.com/mould/. All affected paneling, drywall, vapour barrier, carpeting, underlay and insulation throughout the dwelling shall be removed and disposed of and all wood framing shall be professionally assessed for suitability after cleaning.
 - c) All concrete foundation walls or floors shall be thoroughly washed with detergent and water and quickly dried.
 - d) All remaining carpeting throughout the premises shall be professionally cleaned or replaced.
 - e) All furnishings and soft window coverings throughout shall be removed and professionally cleaned or disposed.

- f) All damaged or rotten window frames throughout the dwelling shall be removed and disposed of and replaced with new materials.
 - g) All remaining hard surfaces throughout, including but not limited to walls, floors, doors, cupboards, shall be thoroughly washed with detergent and water.
 - h) Prior to performing any work inside the above noted premises, Obtain all necessary building permits that may be required by the local Safety Codes Officer.
 - i) Retain the services of a licensed furnace company to inspect and clean the furnace and all ducts within the premises.
 - j) Provide a detailed report describing the source of the moisture and water damage in this dwelling.
 - k) An inspection is required by an executive officer of the Calgary Health Region prior to reconstruction following removal of rotten, damaged and/or mouldy building materials from this dwelling.
 - l) Make necessary repairs to eliminate all sources of water infiltration into the suites.
 - m) Have the roof assessed by a professional and repaired to current building code standards.
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 vacant and secured from unauthorized entry.

Dated at Airdrie, Alberta, this 23rd day of May, 2008.

Greg Thibault
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