



IN THE MATTER OF THE PUBLIC HEALTH ACT – ALBERTA

ORDER OF AN EXECUTIVE OFFICER

To: Royal Home Investments Inc.
2380, 440 – 2 Avenue SW,
Calgary AB T2P 5E9

Shenoff Dewji
2380, 440 – 2 Avenue SW,
Calgary AB T2P 5E9

Inderjit Dhaliwal
2380, 440 – 2 Avenue SW
Calgary AB T2P 5E9

Kathryn Senio
303, 1820 – 17 Street SW
Calgary AB T2T 4M2

And To: All tenants of those premises located in Calgary, Alberta and municipally described as:

**Unit 303,
1820 – 17 Street SW
Calgary, Alberta**

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

**Unit 303,
1820 – 17 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. Natural gas service to the property has been disconnected, resulting in no heat supply to the building.
- b. Natural gas service to the property has been disconnected, resulting in no hot water supply to the building.
- c. There are no operational lights in the common area hallways serving the second and third floors of the building. Several lights in the stairwells are also not operational.
- d. Several electrical outlets in the suite are not operational.

AND WHEREAS such inspection disclosed that the following breaches of the Minimum Housing and Health Standards under the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, exist in and about the above noted premises, namely:

- a. Natural gas service to the property has been disconnected, resulting in no heat supply to the building. This is in contravention of Section 8(a): "All heating facilities

within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of (i) at least 22 degrees Celsius (71 degrees Fahrenheit), or (ii) maintained at a temperature of at least 22 degrees Celsius (71 degrees Fahrenheit) when the control of the supplied heat in the dwelling is the responsibility of a person other than the occupant". This is also in contravention of Section 8(c): "Cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room". This is also in contravention of Section 8 (d): "Every owner of a housing premises shall ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant".

- b. Natural gas service to the property has been disconnected, resulting in no hot water supply to the building. This is in contravention of Section 9: "Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants"; and of Section 9(a): "All hot running water shall be maintained at a temperature of not less than 46 degrees Celsius (114 degrees Fahrenheit), and not more than 60 degrees Celsius (140 degrees Fahrenheit) measured at the plumbing fixture".
- c. There are no operational lights in the common area hallways serving the second and third floors of the building. Several lights in the stairwells are also not operational. This is in contravention of Section 13: "Every public hallway and stairway in a housing premises with multiple dwellings shall be adequately lighted by natural or artificial light at all times, providing in all parts thereof at least 50 lux of light at each tread or floor level.
- d. Several electrical outlets in the suite are not operational. This is in contravention of Section 11: "Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly maintained in a good and safe working condition".

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be

CLOSED FOR TENANT ACCOMODATION PURPOSES;

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

1. That tenants inhabiting the above noted premises be **vacated** no later than 12:00 pm (noon) on Friday, the 6th day of June, 2008.
2. That, if the above noted premises are to be reoccupied by the public, the Owner(s) immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

- a. Have the natural gas supply to the building reconnected.
 - b. Ensure heat and hot running water are supplied as per the requirements of the Minimum Housing and Health Standards listed above.
 - c. Provide adequate lighting throughout all common hallways and stairways in the building.
 - d. Ensure all electrical outlets are in good and safe working order.
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 30th day of May, 2008.

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
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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
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Strathmore

Public Health Building
650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244