

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

To: Kanco – Bromley Square Ltd.
5310 Explorer Drive
Mississauga, Ontario L4W-5H8

Trans Global
Property Management Services
123 10 Avenue SW
Calgary, Alberta T2R-1K8

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

201 – 123 10 Avenue SW
Calgary, Alberta T2R-1K8

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

201 – 123 10 Avenue SW
Calgary, Alberta T2R-1K8

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 plumbing backs up from kitchen sink drain pipe.
- b. The kitchen sink is removed.
- c. The kitchen counter is removed.
- d. The lower portions of the walls in the living room, kitchen and bedroom have been cut away because of the water damage.
- e. Portions of the flooring affected by the back up have been removed.
- f. The walls in the bathroom are water damaged.

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 plumbing back up is a contravention of the Minimum Housing and Health Standards, Section 6(a) "The plumbing system and the sanitary drainage system or

ORDER OF AN EXECUTIVE OFFICER

private disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.”

- b. The sink being removed is a contravention of the Minimum Housing and Health Standards, Section 14(a)(i) “Every housing premises shall be provided with a food preparation area, which includes a kitchen sink that is supplied with hot and cold water and suitably sized to allow preparation of food, washing utensils, and any other cleaning operation.”
- c. The kitchen counter being removed is a contravention of the Minimum Housing and Health Standards, Section 14(a)(iii) “Every housing premises shall be provided with a food preparation area, which includes a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.”
- d. The walls that have been cut away are 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 portions of the flooring that have been removed are 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 damage to the bathroom walls is a contravention of the Minimum Housing and Health Standards, Section 5(a) “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.”

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 Wednesday, the 12th day of March, 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. Ensure the plumbing is fixed and that it will not back up.
 - b. Replace the kitchen sink that was removed.
 - c. Replace the kitchen counter that was removed.
 - d. Replace portions of the wall that were cut away.
 - e. Replace the flooring/floor covering that was removed.

- f. Remove and replace the water damaged bathroom walls.
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 6th day of March, 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, 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