



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

To: Charkie Abdulsattar (Owner)
260 Berkley Close NW
Calgary, Alberta T3K 1B3

And to: Rbrahim El Hawi (Owner)
260 Berkley Close NW
Calgary, Alberta T3K 1B3

And to: Ali Chaaban (Agent)
1161 B Northmount Drive NW
Calgary, Alberta T2L 0C5

Re: Those premises located in Calgary, Alberta and municipally described as:
Basement Suite, 20 Berkley Close NW, 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. There is a room currently being used as a sleeping area that lacks a window or door opening to the exterior of the building AND that lacks mechanical ventilation.

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. There is a room currently being used as a sleeping area that lacks a window or door opening to the exterior of the building AND that lacks mechanical ventilation. This is in contravention of Section 3(b): “For buildings of 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 at least one outside window which may be opened from the inside without the use of tools or special knowledge. Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8 ft²), with no dimension less than 380 mm (15”);

AND, this condition is in contravention of Section 4: “All rooms used for sleeping shall be provided with (a) openable window area of 0.28m² (3.0 ft²); or (b) mechanical ventilation in conformance with the requirements of the Alberta Building Code.”

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

1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. That the owner ensures the tenant(s) cease using the above noted room for sleeping purposes.
 - b. That the owner take all reasonable steps necessary to ensure the above noted room is not used for sleeping purposes by all current and future tenants, until such time as the room meets the requirements of Sections 3 (b) AND Section 4 of the Minimum Housing and Health Standards, and this Order is rescinded by an Executive Officer of the Calgary Health Region.

Dated at Calgary, Alberta, this 25th day of June, 2008.

Sarah L Nunn, 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
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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: 403-934-3454
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