

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

To: Marjorie Schneider
P.O. Box 690
Vulcan, Alberta T0L 2B0
(the “**Owner**”)

And To: Heather Hazen (the “**Occupant**”) of those premises located in Vulcan, Alberta and municipally described as:

214 – 3rd Street North
Vulcan, Alberta

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

214 – 3rd Street North
Vulcan, 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 accumulation on floor of basement;
- b. Wooden structures used for walls and floors in basement deteriorated due to water damage and showing presence of mold;
- c. Floor joists in bedroom addition are wooden two-by-fours and there is significant bounce/movement of this floor when walked on;
- d. Ceiling of bedroom addition is water damaged;
- e. Walls of bedroom addition are water damaged;
- f. Floor of bedroom addition is water damaged;
- g. Mold present on walls of concrete basement under bedroom addition;
- h. Kitchen ceiling has holes, cracks and shows evidence of water staining;
- i. Kitchen walls have holes and are in disrepair;
- j. Kitchen vinyl floor covering is torn and wooden subfloor is exposed;
- k. Ceiling over stairwell to basement has holes and shows evidence of water staining;
- l. Waste water plumbing under kitchen sink leaks;
- m. Bathtub faucet leaks;
- n. Bathroom vanity containing bathroom sink and associated plumbing is not secured to the wall and there is significant movement;

- o. Bathroom tub surround is damaged;
- p. Crevices around the tub and tub surround are not caulked and water damage is evident;
- q. There is no hot water;
- r. Paint is peeling off bathroom ceiling;
- s. Floor coverings in hallways torn and showing subfloor beneath;
- t. Exterior front and rear entry doors in disrepair;
- u. Large crevices leading to the out-of-doors are evident around the exterior front and rear entry doors when in the closed position;
- v. Front entry storm door missing glass pane
- w. Front entry storm door missing fly screen;
- x. Windows in living room, bedroom addition and washroom utilize only a single pane of glass;
- y. Windows in bedrooms do not open;
- z. There are no fly screens present on windows that can be opened in habitable rooms;
- aa. Many electrical outlets do not have covers;
- bb. Wooden soffit and fascia show evidence water damage;
- cc. Wood composing the front and rear wooden exterior stairs is rotten;
- dd. Wood composing the front deck and rails is water damaged and rotten with significant sagging of structural components when deck is walked on;
- ee. There are no smoke alarms present;
- ff. Cat faeces present on floors and a strong odour of cat urine is present throughout this entire housing premises.

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. Water accumulation on floor of basement, which is in contravention of Section 1(b) of the Minimum Housing and Health Standards;
- b. Wooden structures used for walls and floors in basement deteriorated due to water damage and showing presence of mold, which is in contravention of Section 1(c) of the Minimum Housing and Health Standards;
- c. Floor joists in bedroom addition are wooden two-by-fours and there is significant bounce/movement of this floor when walked on, which is in contravention of Section 1(a) of the Minimum Housing and Health Standards;
- d. Ceiling of bedroom addition is water damaged, which is in contravention of Section 5 of the Minimum Housing and Health Standards;
- e. Walls of bedroom addition are water damaged, which is in contravention of Section 5 of the Minimum Housing and Health Standards;
- f. Floor of bedroom addition is water damaged, which is in contravention of Section 5 of the Minimum Housing and Health Standards;
- g. Mould present on walls of concrete basement under bedroom addition, which is in contravention of Section 5(2) of the Housing Regulation (AR 173/99);
- h. Kitchen ceiling has holes, cracks and shows evidence of water staining, which is in contravention of Section 5 of the Minimum Housing and Health Standards;
- i. Kitchen walls have holes and are in disrepair, which is in contravention of Section 5 of the Minimum Housing and Health Standards;
- j. Kitchen vinyl floor covering is torn and wooden subfloor is exposed, which is in

- k. contravention of Section 5 of the Minimum Housing and Health Standards;
Ceiling over stairwell to basement has holes and shows evidence of water staining, which is in contravention of Section 5 of the Minimum Housing and Health Standards;
- l. Waste water plumbing under kitchen sink leaks, which is in contravention of Section 6 (a)(c) of the Minimum Housing and Health Standards;
- m. Bathtub faucet leaks, which is in contravention of Section 6 (c) of the Minimum Housing and Health Standards;
- n. Bathroom vanity containing bathroom sink and associated plumbing is not secured to the wall and there is significant movement, which is in contravention of Section 1 (a) of the Minimum Housing and Health Standards;
- o. Bathroom tub surround is damaged, which is in contravention of Section 5 of the Minimum Housing and Health Standards;
- p. Crevices around the tub and tub surround are not caulked and water damage is evident, which is in contravention of Section 5 (a) of the Minimum Housing and Health Standards;
- q. There is no hot water, which is in contravention of Section 9 (a) of the Minimum Housing and Health Standards;
- r. Paint is peeling off bathroom ceiling, which is in contravention of Section 5 of the Minimum Housing and Health Standards;
- s. Floor coverings in hallways torn and showing subfloor beneath, which is in contravention of Section 5 of the Minimum Housing and Health Standards;
- t. Exterior front and rear entry doors in disrepair, which is in contravention of Section 2(b)(i) of the Minimum Housing and Health Standards;
- u. Large crevices leading to the out-of-doors are evident around the exterior front and rear entry doors when in the closed position, which is in contravention of Section 2 (b)(i) of the Minimum Housing and Health Standards;
- v. Front entry storm door missing glass pane, which is in contravention of Section 2 (b)(i) of the Minimum Housing and Health Standards;
- w. Front entry storm door missing fly screen, which is in contravention of Section 2 (b)(iii) of the Minimum Housing and Health Standards;
- x. Windows in living room, bedroom addition and washroom utilize only a single pane of glass, which is in contravention of Section 2 (b)(ii) of the Minimum Housing and Health Standards;
- y. Windows in bedrooms do not open, which is in contravention of Section 3 (b) of the Minimum Housing and Health Standards;
- z. There are no fly screens present on windows that can be opened in habitable rooms, which is in contravention of Section 2 (b) (iii) of the Minimum Housing and Health Standards;
- aa. Many electrical outlets do not have covers, which is in contravention of Section 11 of the Minimum Housing and Health Standards;
- bb. Wooden soffit and fascia show evidence of water damaged, which is in contravention of Section 2 (a) of the Minimum Housing and Health Standards;
- cc. Wood composing the front and rear wooden exterior stairs is rotten, which is in contravention of Section 3 (c) of the Minimum Housing and Health Standards;
- dd. Wood composing the front deck and rails is water damaged and rotten with significant sagging of structural components when deck is walked on, which is in contravention of Section 3 (c) of the Minimum Housing and Health Standards;
- ee. There are no smoke alarms present, which is in contravention of Section 12 of the Minimum Housing and Health Standards;

- ff. Cat faeces present on floors and a strong odour of cat urine is present throughout this entire housing premises, which is in contravention of Section 5(2) of the Housing Regulation (AR 173/99).

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 8:00 a.m., on Thursday, the 9th day of October, 2008.
2. Once vacated, that the Owner immediately undertake and diligently pursue cleaning the interior of this housing premises to remove accumulation of cat faeces and mitigate cat urine odour.

3. 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. Remove all absorbent interior structural and finishing materials that have been impacted by cat urine including floor and wall coverings and replace with new material;
 - b. Clean all remaining interior structural and finishing materials to completely remove cat urine odour;
 - c. Remove all wooden structures in basement that show water damage and mould;
 - d. Remove mould growth on concrete walls of basement;
 - e. Locate and repair cause of water infiltration in basement;
 - f. Remove water damaged materials of walls, ceiling and floor in bedroom addition and repair these areas;
 - g. Locate and repair area where water is entering the roof of the bedroom addition;
 - h. Install floor joist in bedroom addition in accordance with building code requirements;
 - i. Repair walls, floor and ceiling of the kitchen;
 - j. Repair the drain plumbing for the kitchen sink;
 - k. Repair the ceiling over the stairs;
 - l. Repair the bathroom tub faucet;
 - m. Secure bathroom vanity to the wall;
 - n. Repair bathroom tub surround;
 - o. Repair water damaged components around tub and caulk all crevices to prevent water from entering;
 - p. Ensure provision of hot water;
 - q. Repair painted surface of the bathroom ceiling;
 - r. Repair floor coverings in hallways;
 - s. Repair the front and rear entry exterior doors;
 - t. Install weather stripping around front and rear exterior doors;
 - u. Replace the glass and fly screen in the front storm;
 - v. Install double glazed windows in bedrooms, living room and kitchen, and ensure windows installed in bedrooms open and can provide an unobstructed opening of not less than 3.8 ft² with no dimension less than 15 inches;
 - w. Install fly screens on windows that open for ventilation;
 - x. Install covers on electrical outlets;
 - y. Repair the soffit and fascia of this housing premises;
 - z. Repair the exterior stairs, rails and deck;
 - aa. Install operational smoke alarms;
 - bb. Have the furnace and all air ducts cleaned by a professional.
4. That, until such time as the work referred to in paragraph 3 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 Claresholm, Alberta, this 16th day of September, 2008.

Richard Steeves
Executive Officer
Alberta Health Services
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 Box 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: 403-361-7200
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www.calgaryhealthregion.ca/envhealth