

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

- To:** Stuart Block Inc.
604 – 1 Street SW
Calgary, Alberta T2P 1M7
- And To:** All Occupants of those premises located in Calgary, Alberta and municipally described as:
- Unit 5, 115 – 7 Avenue SW
Calgary, Alberta
- Re:** Those premises located in Calgary, Alberta and municipally described as:
- Unit 5, 115 – 7 Avenue 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. The suite is filled with garbage, food products, and personal belongings to the extent that movement throughout the suite is prevented, including access to the window and fridge.
- b. Bags of garbage are stored on and around the bed.
- c. There is an overwhelming odour of urine throughout the suite.
- d. There is a bucket sitting behind the door containing a small amount of urine.
- e. Food products, such as loaves of bread, are scattered throughout the suite.
- f. There are many flies throughout the suite and covering the walls of the suite.
- g. Surfaces throughout, such as the floors, walls and the door, are filthy.
- h. The ceiling is water damaged above the suite door.

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 suite is filled with garbage, food products, and personal belongings to the

extent that movement throughout the suite is prevented, including access to the window and fridge. This is in contravention of the Housing Regulation, Alberta 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. Bags of garbage are stored on and around the bed. This is in contravention of the Housing Regulation, Alberta 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”.
- c. There is an overwhelming odour of urine throughout the suite. This is in contravention of the Housing Regulation, Alberta 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”.
- d. There is a bucket sitting behind the door containing a small amount of urine. This is in contravention of the Housing Regulation, Alberta 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”.
- e. Food products, such as loaves of bread, are scattered throughout the suite. This is in contravention of the Housing Regulation, Alberta 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”.
- f. There are many flies throughout the suite and covering the walls of the suite. This is in contravention of the Minimum Housing and Health Standards, Section 16 (a): “The owner shall ensure that the housing premises are free of insect and rodent infestations”.
- g. Surfaces throughout, such as the floors, walls and the door, are filthy. This is in contravention of the Housing Regulation, Alberta 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”.
- h. The ceiling is water damaged above the suite door. This is in 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”.

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 immediately.
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. Remove all garbage, food products, personal belongings, and the bucket containing urine, from the suite.
 - b. Thoroughly clean, then sanitize, all floor, wall, and ceiling surfaces. If urine has soaked into any building materials, those materials must be replaced.
 - c. Rid the suite of the fly infestation.
 - d. Identify and correct any sources of water leaks causing the ceiling damage.
 - e. Remove any water damaged or mouldy ceiling materials, then repair the ceiling.
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 Calgary, Alberta, this 5th day of May, 2008. This is in confirmation of the verbal order issued on the 1st 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
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: 403-361-7200
Fax: 403-361-7244

www.calgaryhealthregion.ca/envhealth