

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

- To:** William Lee
808 Coachside Cres. NW
Calgary, Alberta
(the “**Owner**”)
- And To:** Don Lee
119 20 Sierra Morena Mews SW
Calgary, Alberta, T3H 3K6
(the “**Agent**”)
- And To:** All Occupants (the “**Occupants**”) of those premises located in municipality, Alberta and municipally described as:
- Basement suite(s), 1615 Bowness Rd NW
Calgary, Alberta
- Re:** Those premises located in Calgary, Alberta and municipally described as:
- Basement suite A, 1615 Bowness Rd 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. No smoke detector.
- b. No stove in the kitchen.
- c. No fridge in the kitchen.
- d. There are holes in the kitchen walls.
- e. The kitchen wall is rotten adjacent to the sink.
- f. There is a large vertical crack in the foundation in the kitchen.
- g. The bedroom window does not open for emergency egress.
- h. The bathroom has no ventilation.
- i. The shower is leaking.
- j. There is a hole in the bathroom floor and the bathroom ceiling.
- k. No proper drainage for the shower.
- l. The shower walls are not sealed properly.
- m. No plate covers on electrical outlets throughout property.
- n. Exposed socket with live wires. The tenant is able to turn lights off with it.

- o. The ceiling in the store room has peeling paint.
- p. The stairs to the basement are in disrepair.
- q. There is no handrail to the basement stairs.

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. No smoke detector. This is a breach of the "Minimum Housing and Health Standards", specifically Section 12.
- b. No stove in the kitchen. This is a breach of the "Minimum Housing and Health Standards", specifically Section 14(a)(iv).
- c. No fridge in the kitchen. This is a breach of the "Minimum Housing and Health Standards", specifically Section 14(a)(iv).
- d. There are holes in the kitchen walls. This is a breach of the "Minimum Housing and Health Standards", specifically Section 5(b).
- e. The kitchen wall is rotten adjacent to the sink. This is a breach of the "Minimum Housing and Health Standards", specifically Section 5(b).
- f. There is a large vertical crack in the foundation in the kitchen. This is a breach of the "Minimum Housing and Health Standards", specifically Section 1(c).
- g. The bedroom window does not open for emergency egress. This is a breach of the "Minimum Housing and Health Standards", specifically Section 3(b).
- h. The bathroom has no ventilation. This is a breach of the "Minimum Housing and Health Standards", specifically Section 7(c).
- i. The shower is leaking. This is a breach of the "Minimum Housing and Health Standards", specifically Section 6(c).
- j. There is a hole in the bathroom floor and the bathroom ceiling. This is a breach of the "Minimum Housing and Health Standards", specifically Section 5(a).
- k. No proper drainage for the shower. This is a breach of the "Minimum Housing and Health Standards", specifically Section 6(a).
- l. The shower walls are not sealed properly. This is a breach of the "Minimum Housing and Health Standards", specifically Section 5(a).
- m. No plate covers on electrical outlets throughout property. This is a breach of the "Minimum Housing and Health Standards", specifically Section 11.
- n. Exposed socket with live wires. The tenant is able to turn lights off with it. This is a breach of the "Minimum Housing and Health Standards", specifically Section 11.
- o. The ceiling in the store room has peeling paint. This is a breach of the "Minimum Housing and Health Standards", specifically Section 5.
- p. The stairs to the basement are in disrepair. This is a breach of the "Minimum Housing and Health Standards", specifically Section 3(c).
- q. There is no handrail to the basement stairs. This is a breach of the "Minimum Housing and Health Standards", specifically Section 3(c).

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 and the suite secured from unauthorised entry** no later than 10am, on Monday, the 24th day of November, 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. Install a smoke detector.
 - b. Put a stove in the kitchen.
 - c. Put a fridge in the kitchen.
 - d. Repair the holes in the kitchen walls.
 - e. Replace the kitchen wall which is rotten adjacent to the sink.
 - f. Repair the large vertical crack in the foundation in the kitchen.
 - g. Ensure the bedroom window opens for emergency egress.
 - h. Install ventilation in the bathroom.
 - i. Repair the leaking shower.
 - j. Repair the holes in the bathroom floor and the bathroom ceiling.
 - k. Install proper drainage for the shower.
 - l. Seal the shower walls properly.
 - m. Install plate covers on electrical outlets throughout property.
 - n. Make safe the exposed socket with live wires.
 - o. Repaint the store room ceiling.
 - p. Repair the stairs to the basement..
 - q. Install a handrail to the basement stairs.
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 and secured from unauthorised entry**.

Dated at Calgary, Alberta, this 13th day of November, 2008.

Sarah L Nunn, BSc(Hons), CPHI(C)
Public Health Inspector / 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,
10101 Southport Rd SW
Calgary, AB T2W 3N2
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
Fax: 403-361-7244

www.calgaryhealthregion.ca/envhealth