

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 B, 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. There is no bathroom.
- b. There are no kitchen facilities.
- c. There is no heat in the suite. The temperature measured between 11 and 13 Degrees Celsius throughout.
- d. The bedroom window does not open for emergency egress.
- e. The washing machine hook ups are leaking.
- f. Holes noted in the walls throughout.
- g. The floor is in serious disrepair.
- h. No handrail to the basement suite.
- i. The deck used to access the suite is rotten in areas.
- j. No smoke detector.

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. There is no bathroom. This is a breach of the "Minimum Housing and Health Standards", specifically Section 7.
- b. There are no kitchen facilities. This is a breach of the "Minimum Housing and Health Standards", specifically Section 14.
- c. There is no heat in the suite. The temperature measured between 11 and 13 Degrees Celsius throughout. This is a breach of the "Minimum Housing and Health Standards", specifically Section 8(a).
- d. The bedroom window does not open for emergency egress. This is a breach of the "Minimum Housing and Health Standards", specifically Section 3(b).
- e. The washing machine hook ups are leaking. This is a breach of the "Minimum Housing and Health Standards", specifically Section 6(c).
- f. Holes noted in the walls throughout. This is a breach of the "Minimum Housing and Health Standards", specifically Section 5.
- g. The floor is in serious disrepair. This is a breach of the "Minimum Housing and Health Standards", specifically Section 5.
- h. No handrail to the basement suite. This is a breach of the "Minimum Housing and Health Standards", specifically Section 3(c).
- i. The deck used to access the suite is rotten in areas. This is a breach of the "Minimum Housing and Health Standards", specifically Section 3(c).
- j. No smoke detector. This is a breach of the "Minimum Housing and Health Standards", specifically Section 12.

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 bathroom.
 - b. Install kitchen facilities.
 - c. Ensure the suite can be heated to 22 Degrees Celsius.
 - d. Ensure the bedroom window opens for emergency egress.
 - e. Repair the leaking washing machine hook ups.

- f. Repair the holes in the walls.
 - g. Repair the floor.
 - h. Install a handrail to the basement suite.
 - i. Repair any rotten areas / boards on the deck.
 - j. Install a smoke detector.
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.

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