

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

To: Jeffrey Bone
25166 Springbank Rd
Calgary, Alberta T3Z 3M8

And To: All Occupants of those premises located in Calgary, Alberta and municipally described as:

Suite 1
1513 – 10 Street SW
Calgary, Alberta

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

Suite 1
1513 – 10 Street SW
Calgary, Alberta

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, 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 openable area of the bedroom window does not meet requirements for emergency egress.
- b. There is a strong odour of urine throughout suite.
- c. Surfaces are very dirty throughout, including the kitchen and bathroom.
- d. Several fruit flies were observed in the suite.
- e. There is no fridge supplied to the suite.
- f. The bathroom floor is water stained and damaged throughout.
- g. There is an unsealed gap between the floor and bathtub.
- h. There is no natural or mechanical ventilation to the bathroom.
- i. The kitchen and hallway linoleum is damaged and curling at the edges, with some bare wood areas exposed.

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 openable area of the bedroom window does not meet requirements for emergency egress. This is in contravention of Section 3(b) of the Minimum Housing and Health Standards.
- b. There is a strong odour of urine throughout suite. This is in contravention of Section 5(2) of the Housing Regulation.
- c. Surfaces are very dirty throughout, including the kitchen and bathroom. This is in contravention of Section 5(2) of the Housing Regulation.
- d. Several fruit flies were observed in the suite. This is in contravention of Section 16(a) of the Minimum Housing and Health Standards.
- e. There is no fridge supplied to the suite. This is in contravention of Section 14 (a) (iv) of the Minimum Housing and Health Standards.
- f. The bathroom floor is water stained and damaged throughout. This is in contravention of Sections 5 and 5 (a) of the Minimum Housing and Health Standards.
- g. There is an unsealed gap between the floor and bathtub. This is in contravention of Sections 5 and 5 (a) of the Minimum Housing and Health Standards.
- h. There is no natural or mechanical ventilation to the bathroom. This is in contravention of Section 7(c) of the Minimum Housing and Health Standards.
- i. The kitchen and hallway linoleum is damaged and curling at the edges, with some bare wood areas exposed. This is in contravention of Section 5 and 5(b) of the Minimum Housing and Health Standards.

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be
CLOSED FOR TENANT ACCOMODATION PURPOSES;

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

1. That tenants inhabiting the above noted premises be **vacated** no later than 8:00 AM on Monday, the 14th day of September, 2009.
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 bedroom window that meets all requirements of Section 3 (b) of the Minimum Housing and Health Standards.
 - b. Thoroughly clean and sanitize all surfaces throughout the suite, ensuring no odour remains.
 - c. Rid the suite of fruit flies.
 - d. Supply a working fridge in the kitchen.
 - e. Remove water damaged and stained bathroom floor materials, including any mould found. Replace with a smooth, easy to clean floor surface that forms a watertight seal at all joints.
 - f. Provide ventilation to the bathroom in the form of an openable window or a mechanical fan.
 - g. Removed damaged linoleum from the kitchen and hallway. Replace with a smooth, easy to clean floor surface that forms a watertight seal at all joints.

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 Alberta Health Services, the above noted premises shall remain **closed for tenant accommodation purposes**.

Dated at Calgary, Alberta, this 2nd day of September, 2009. This confirms the verbal order to the tenant on August 28th, 2009.

Karen Clarke, CPHI(C)
Executive Officer
Alberta Health Services

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 Alberta Health Services 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

Alberta Health Services, *Southport*
10101 Southport Rd SW
Calgary, AB T2W 3N2
Phone: 403-943-2288
Fax: 403-943-8056

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