

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

- To:** Gulamehdin & Khawarobibi Ehsani
4343 38 Street NE,
Calgary, Alberta, T1Y 5X6
(the “**Owner**”)
- And To:** All Occupants (the “**Occupants**”) of those premises located in municipality, Alberta and municipally described as:

Basement suite, 4343 38 Street NE,
Calgary, Alberta
- Re:** Those premises located in Calgary, Alberta and municipally described as:

Basement suite, 4343 38 Street NE, 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 two bedrooms have no windows.
- b. There is a mouse infestation.
- c. The basement suite is not secured from unauthorised entry.
- d. There is no smoke detector.
- e. There is no handrail to the basement staircase.
- f. The deck boards to the suite entryway are not secured and it is therefore not safe.

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 two bedrooms have no windows. This is a breach of the Minimum Housing and Health Standards, specifically sections 3 (b) & 4.
- b. There is a mouse infestation. This is a breach of the Minimum Housing and Health Standards, specifically section 16 (a).
- c. The basement suite is not secured from unauthorised entry. This is a breach of the Minimum Housing and Health Standards, specifically section 3 (a).
- d. There is no smoke detector. This is a breach of the Minimum Housing and Health

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Re: All Occupants (the "Occupants") of those premises located in Calgary, Alberta and municipally described as **Basement suite, 4343 38 Street NE, Calgary, Alberta**

Standards, specifically section 12.

- e. There is no handrail to the basement staircase. This is a breach of the Minimum Housing and Health Standards, specifically section 3 (c).
- f. The deck boards to the suite entryway are not secured and it is therefore not safe. 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** no later than 10am, on Friday, the 27th day of November, 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 at least one window in each bedroom that is large enough for means of escape and complies with the Alberta Building Code.
 - b. Employ a professional Pest Control Operator to treat the mouse infestation.
 - c. Make the basement suite secure from unauthorised entry.
 - d. Install a smoke detector.
 - e. Install a handrail to the basement staircase.
 - f. Make deck entrance to the suite safe by securing the wooden planks properly.
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**.

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Re: All Occupants (the "Occupants") of those premises located in Calgary, Alberta and municipally described as **Basement suite, 4343 38 Street NE, Calgary, Alberta**

Dated at Calgary, Alberta, this 18th day of November, 2009.

Sarah L Nunn
Public Health Inspector / 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
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Claresholm, AB T0L 0T0
Phone: 403-625-4061
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Didsbury

Didsbury Health Unit
PO Box 130
1210 -20th Avenue
Didsbury, AB T0M 0W0
Phone: 403-335-7292
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Okotoks

Okotoks Public Health Centre
11 Cimarron Commons
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Strathmore

Public Health Building
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