

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

To: Darshan and Kulwant Sidhu
1113 Channelside Dr SW
Airdrie, Alberta T4B 3J4
(the “**Owner**”)

And To: All Occupants (the “**Occupants**”) of those premises located in municipality, Alberta and municipally described as:

2419C 48 St SE
Calgary, Alberta

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

2419C 48 St SE
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. There is no smoke alarm in the unit.
- b. The unit is infested with bed bugs.
- c. The unit is infested with carpet beetles.
- d. There were mouse droppings evident in the kitchen cupboards.
- e. There was mould growth on the bathroom walls and ceiling.
- f. There was mould growth evident along the caulking of the tub surround.
- g. There was a large hole in the wall between the toilet and the tub.
- h. There was mould growth evident in and around the hole in the wall between the toilet and the tub.
- i. The light in the laundry room flickers, and shuts on and off on its own.
- j. The bedroom windows are not capable of being locked and/or secured from unauthorized entry.
- k. The floor in the bathroom is saturated with water.
- l. The floor in the bathroom is in disrepair.
- m. The floor in the laundry room is saturated with water.
- n. The floor in the laundry room is in disrepair.
- o. There is a leak from the cold water tap in the laundry room.
- p. The kitchen floor is in disrepair.
- q. The handrail along the staircase from the front door is broken.
- r. The front door is poorly weatherproofed, as large gaps to the outdoors are present.

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 smoke alarm in the unit. This is in contravention of the Minimum Housing and Health Standards, Section 12 which states that "Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite, and where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway. Smoke alarms shall be operational and in good repair at all times."
- b. The unit is infested with bedbugs. This is in contravention of the Minimum Housing and Health Standards, Section 16(a) which states that "The owner shall ensure that the housing premises are free of insect and rodent infestations."
- c. The unit is infested with carpet beetles. This is in contravention of the Minimum Housing and Health Standards, Section 16(a) which states that "The owner shall ensure that the housing premises are free of insect and rodent infestations."
- d. There were mouse droppings evident in the kitchen cupboards. This is in contravention of the Minimum Housing and Health Standards, Section 16(a) which states that "The owner shall ensure that the housing premises are free of insect and rodent infestations."
- e. There was mould growth on the bathroom walls and ceiling. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) which states that "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- f. There was mould growth evident along the caulking of the tub surround. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) which states that "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- g. There was a large hole in the wall between the toilet and the tub. This is in contravention of the Minimum Housing and Health Standards, Section 5 which states that "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."
- h. There was mould growth evident in and around the hole in the wall between the toilet and the tub. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) which states that "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- i. The light in the laundry room flickers, and shuts on and off on its own. This is in contravention of the Minimum Housing and Health Standards, Section 11 which states that "Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition."
- j. The bedroom windows are not capable of being locked and/or secured from unauthorized entry. This is in contravention of the Minimum Housing and Health Standards, Section 3(a) which states that "Exterior windows and doors shall be capable of being secured."
- k. The floor in the bathroom is saturated with water. This is in contravention of the Minimum Housing and Health Standards, Sections 1(c) and 5 which state that "Building materials that have been damaged or show evidence of rot or other

deterioration shall be repaired or replaced” and “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.”

- l. The floor in the bathroom is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 which states that “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.”
- m. The floor in the laundry room is saturated with water. This is in contravention of the Minimum Housing and Health Standards, Sections 1(c) and 5 which state that “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced” and “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.”
- n. The floor in the laundry room is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 which states that “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.”
- o. There is a leak from the cold water tap in the laundry room. This is in contravention of the Minimum Housing and Health Standards, Section 6(c) which states that “All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”
- p. The kitchen floor is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 which states that “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.”
- q. The handrail along the staircase from the front door is broken. This is in contravention of the Minimum Housing and Health Standards, Section 3(c) which states that “Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, guards and balconies shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.”
- r. The front door is poorly weatherproofed, as large gaps to the outdoors are present. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(i) which states that “All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof.”

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 **4:00pm, on Friday, the 13th 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. Outfit the unit with a functional smoke alarm.
 - b. Hire a professional pest control company to fumigate the entire complex for bedbugs.
 - c. Hire a professional pest control company to fumigate the entire complex for carpet beetles.
 - d. Hire a professional pest control company to eradicate the mouse problem.
 - e. Remove all drywall in the bathroom and replace with new materials.
 - f. Strip the existing caulking from around the tub and tub surround and recaulk the area.
 - g. Hire an electrical contractor to inspect the wiring throughout the unit.
 - h. Ensure the bedroom windows are capable of being locked and/or secured from unauthorized entry.
 - i. Remove the vinyl cushion on the bathroom floor, assess the subfloor to ensure it is structurally sound and repair as necessary.
 - j. Find and repair the source of the leak from the cold water tap in the laundry room.
 - k. Remove the vinyl cushion on the laundry room floor, assess the subfloor to ensure it is structurally sound and repair as necessary.
 - l. Remove the vinyl cushion from the kitchen floor, thoroughly clean the subfloor and cover subfloor with appropriate flooring.
 - m. Repair the handrail along the staircase from the front door.
 - n. Weatherproof the front door adequately so there are no gaps to the outdoors.
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 4th day of November, 2009.

Daria Romanish 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

Banff
Banff Health Centre
303 Lynx Street
PO Box 1266

Calgary/Mountain View/Rocky View
Alberta Health Services, *Southport*
10101 Southport Rd SW
Calgary, AB T2W 3N2

Canmore
Canmore Public Health
#104, 800 Railway Avenue
Canmore, AB T1W 1P1

Phone: 403-912-8400
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Phone: 403-943-2288
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