

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

To: Sandercock, John William
2015 - 35 Avenue SW
Calgary, Alberta T2T 2E2

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

2015 - 35 Avenue SW
Calgary, Alberta

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

2015 - 35 Ave SW
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. Large amounts of combustible materials are being stored close to the hot water tank and furnace.
- b. The house is filled with garbage, furniture and other items from floor to ceiling, with only a small path to access the rooms throughout.
- c. Surfaces throughout are unsanitary and covered with a layer of dirt.
- d. There is no working bathtub or shower. The taps have been removed, and the bathtub is filled with garbage.
- e. Exterior doors are not weatherproof.
- f. There are many items blocking bedroom windows. Windows cannot be accessed for emergency egress.
- g. There is no natural or mechanical ventilation in the bathroom.
- h. There is a propane tank stored in the basement.
- i. There is a small marijuana growing area setup in an upstairs bedroom, consisting of approximately 25 plants.
- j. There are many electrical extension cords strung throughout the house, creating fire and tripping hazards.
- k. Walls throughout the premises are damaged.
- l. There is water damage, holes, and mould growth on the main floor ceilings.
- m. The backyard is filled with garbage, building materials and old cars.
- n. Floors and carpets throughout are damaged.

- o. There is an unsafe exit constructed from an exterior door on the stairs to the upper floor, running over a sidewalk and onto the garage roof.
- p. There is an exposed electrical wire at the bathroom light fixture.

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. Large amounts of combustible materials are being stored close to the hot water tank and furnace. This is in contravention of the Housing Regulation, Section 5 (2).
- b. The house is filled with garbage, furniture and other items from floor to ceiling, with only a small path to access the rooms throughout. This is in contravention of the Housing Regulation, Section 5 (2).
- c. Surfaces throughout are unsanitary and covered with a layer of dirt. This is in contravention of the Housing Regulation, Section 5 (2).
- d. There is no working bathtub or shower. The taps have been removed, and the bathtub is filled with garbage. This is in contravention of the Minimum Housing and Health Standards, Section 7(a).
- e. Exterior doors are not weatherproof. This is in contravention of the Minimum Housing and Health Standards, Section 2 (b)(ii).
- f. There are many items blocking bedroom windows. Windows cannot be accessed for emergency egress. This is in contravention of the Minimum Housing and Health Standards, Sections 3 (b).
- g. There is no natural or mechanical ventilation in the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).
- h. There is a propane tank stored in the basement. This is in contravention of the Housing Regulation, Section 5 (2).
- i. There is a small marijuana growing area setup in an upstairs bedroom, consisting of approximately 25 plants. This is in contravention of the Housing Regulation, Section 5 (2).
- j. There are many electrical extension cords strung throughout the house, creating fire and tripping hazards. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- k. Walls throughout the premises are damaged. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- l. There is water damage, holes, and mould growth on the main floor ceilings. This is in contravention of the Minimum Housing and Health Standards, Sections 1(c) and 5.
- m. The backyard is filled with garbage, building materials and old cars. This is in contravention of the Housing Regulation, Section 5 (2).
- n. Floors and carpets throughout are damaged. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- o. There is an unsafe exit constructed from an exterior door on the stairs to the upper floor, running over a sidewalk and onto the garage roof. This is in contravention of the Minimum Housing and Health Standards, Sections 1(a), 1(c), and 3(c).

- p. There is an exposed electrical wire at the bathroom light fixture. This is in contravention of the Minimum Housing and Health Standards, Section 11.

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be
UNFIT FOR HUMAN HABITATION;

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

1. That all occupants inhabiting the above noted premises be **vacated** immediately.
2. That, if the above noted premises are to be reoccupied, the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remove all combustible material close to the hot water tank and furnace.
 - b. All electrical services must be properly installed and maintained in good working condition. Remove all extension cords.
 - c. Remove and properly dispose of all garbage, excessive furniture and items so that they do not present a fire, overhead or tripping hazard, or prevent egress from the bedroom windows in the case of an emergency.
 - d. Remove all propane tanks from the house.
 - e. Remove all garbage and other items from the bathtub.
 - f. Provide hot and cold running water to the bathtub.
 - g. Repair or replace the exterior doors so they are free from cracks and weatherproof.
 - h. Ensure all bedroom windows meet the openable area requirements of the Minimum Housing and Health Standards, Section 3 (b).
 - i. Thoroughly clean and sanitize all surfaces, including floors, walls, kitchen appliances, countertops and the bathroom.
 - j. Provide ventilation to the bathroom in the form of an openable window or a mechanical fan.
 - k. Dismantle and remove all components of the marijuana growing area.
 - l. Identify and correct all sources of moisture causing water damage and mould growth in the property.
 - m. Remove all water damaged and mouldy building materials. Do not complete repairs to these areas until a reinspection and approval to proceed has been received from an Executive Officer of Alberta Health Services.
 - n. Remove all garbage and unnecessary items from the back yard.
 - o. Remove all damaged carpets and replace all damaged sub-floor.
 - p. Remove the exit structure between the house and the garage; secure the door against access from inside the house in order to remove any fall hazard.
 - q. Repair the bathroom light fixture so that there is no exposed wiring.
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 **vacant and secured from unauthorized entry**.

Dated at Calgary, Alberta, this 20th day of April, 2010. This confirms the verbal order issued to John Sandercock on the 13th day of April, 2010.

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
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Strathmore

Public Health Building
650 Westchester Road
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www.calgaryhealthregion.ca/envhealth