

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

To: Dmytro Pechenyuk
37 Heritage Lake Boulevard
DeWinton, Alberta T0L 0X0
(the “Owner”)

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

Basement suite, 279 Queen Charlotte Way SE
Calgary, Alberta

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

Basement suite, 279 Queen Charlotte Way 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. Floors and walls in basement show evidence of rot from excessive moisture.
- b. Moisture was detected in drywall around window casements in bedrooms, bathroom, and living room.
- c. Excessive mould growth in many areas of basement including walls and floors.
- d. Some light fixtures, electrical outlets and switch plates either do not work or are visibly damaged.
- e. There are exposed wires that are carrying a charge as tested by a volt meter.
- f. No operational smoke detector.
- g. Basement has infestation of spiders, beetles and sow bugs.
- h. Back entry door is not weatherproof.
- i. Living room window does not have an insect screen.
- j. Bathroom P-trap is leaking.
- k. Kitchen faucet is loose.
- l. Excessive moisture, humidity and smell of mould in basement.

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:

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- a. Floors and walls in basement show evidence of rot from excessive moisture. This is a contravention of sections 1 & 2, of the Minimum Housing and Health Standards.
- b. Moisture was detected in drywall around window casements in bedrooms, bathroom, and living room. This is a contravention of sections 1 & 2, of the Minimum Housing and Health Standards.
- c. Excessive mould growth in many areas of basement including walls and floors in basement. This is a contravention of sections 1, 2 & 5, of the Minimum Housing and Health Standards and Section 2(1) of the Alberta Nuisance and General Sanitation Regulation.
- d. Some light fixtures, electrical outlets and switch plates either do not work or are visibly damaged. This is a contravention of section 11 of the Minimum Housing and Health Standards
- e. There are exposed wires that are carrying a charge as tested by a volt meter. This is a contravention of section 11 of the Minimum Housing and Health Standards.
- f. No operational smoke detector. This is a contravention of section 12 of the Minimum Housing and Health Standards.
- g. Basement has infestation of spiders, beetles and sow bugs. This is a contravention of section 16 of the Minimum Housing and Health Standards.
- h. Back entry door is not weatherproof. This is a contravention of section 2 of the Minimum Housing and Health Standards.
- i. Living room window does not have an insect screen. This is a contravention of section 2(b) of the Minimum Housing and Health Standards.
- j. Bathroom P-trap is leaking. This is a contravention of section 6 of the Minimum Housing and Health Standards.
- k. Kitchen faucet is loose. This is a contravention of section 6 of the Minimum Housing and Health Standards.
- l. Excessive moisture, humidity and smell of mould in basement. This is a contravention of section 1 & 2 of the Minimum Housing and Health Standards and section 2 of the Nuisance and General Sanitation Regulation.

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. The above noted premises remain **vacant** until the Executive Officer's Order is lifted.
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. Remove all floors, walls, and window casements in basement and any other water damaged surfaces. This includes all flooring, underlay, all damaged drywall , insulation, baseboards, window casements, etc.
 - b. Remediate areas where there is mould growth in basement including walls and flooring. All areas of house that have been infiltrated with water must be removed, the source of the water determined and repaired, all wet drywall and insulation must be removed, the areas must be allowed to dry and treated with mould inhibitor. An

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- inspection is required prior to new material being installed; call this office to arrange an appointment prior to commencing work past this stage.
- c. Hire a licensed electrician to determine extent of damage and make repairs to basement electrical, copies of receipts will be required.
 - d. Replace or repair the loose kitchen faucet.
 - e. Replace or repair the leaking bathroom P-trap.
 - f. Replace the smoke detector and ensure it is operational.
 - g. Supply and install a tight fitting insect screen for the living room window.
 - h. Hire professional pest control company, after the repairs are completed to eradicate the infestation of spiders, beetles and sow bugs. Receipts are required to be provided.
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 24th day of August, 2010. Verbal order issued on August 18th, 2010 during a phone conversation with Dmytro (Alex) Pechenyuk.

Heather A Langemann, CPHI(C)
Executive Officer, Public Health Inspector
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