

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

**To:** Ali A Al-Shammasi  
3670 Sage Hill Drive NW  
Calgary, Alberta T3R 1J1  
(the “**Owner**”)

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

Rented Room in the Barn located at  
3670 Sage Hill Drive NW  
Calgary, Alberta T3R 1J1

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

Rented Room in the Barn located at  
3670 Sage Hill Drive NW  
Calgary, Alberta T3R 1J1

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 only power source for the room is through an extension cord running from the shop.
- b. The ceiling is not finished and not insulated.
- c. No stove is provided.
- d. No kitchen cupboard is provided.
- e. The sink does not have running water.
- f. There is no heating device that can maintain 22 degrees C.
- g. Portable heater is the sole source of heat.
- h. The door of the room does not have a lock.
- i. No smoke alarm is installed.
- j. No washroom facility is available in the barn.
- k. The window of the room is missing left pane and is covered with plywood.
- l. The right half of the window is only single pane.
- m. The window cannot be opened for emergency egress.

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 only power source for the room is through an extension cord, contravening Section 11 of the Minimum Housing and Health Standards.
- b. The ceiling is not finished and not insulated, contravening Section 5 of the Minimum Housing and Health Standards.
- c. No stove is provided, contravening Section 14 (a)(iv) & (d) of the Minimum Housing and Health Standards.
- d. No kitchen cupboard is provided, contravening Section 14 (a)(ii) of the Minimum Housing and Health Standards.
- e. The sink does not have running water, contravening Section 14 (a) (i) and Section 9 of the Minimum Housing and Health Standards.
- f. There is no heating device that can maintain 22 degrees C, contravening Section 8 (a) of the Minimum Housing and Health Standards.
- g. Portable heater is the sole source of heat, contravening Section 8 (c) of the Minimum Housing and Health Standards.
- h. The door of the room does not have a lock, contravening Section 3 (a) of the Minimum Housing and Health Standards.
- i. No smoke alarm is installed, contravening Section 12 of the Minimum Housing and Health Standards.
- j. No washroom facility is available in the barn, contravening Section 7 of the Minimum Housing and Health Standards.
- k. The window of the room is missing left pane and is covered with plywood, contravening Section 2 (b) (i) of the Minimum Housing and Health Standards.
- l. The right half of the window is only single pane, contravening Section 2 (b) (ii) of the Minimum Housing and Health Standards.
- m. The window cannot be opened for emergency egress, contravening Section 3(b) of the Minimum Housing and Health Standards.

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 the above noted premises be vacated no later than 12pm, on Friday, the 24<sup>th</sup> day of September, 2010.
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. Provide adequate receptacles with power.
  - b. Finish and insulate the ceiling.
  - c. Provide a stove.
  - d. Provide kitchen cupboards.
  - e. Ensure the kitchen sink has both cold and hot running water at sufficient pressure.

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- f. Provide a furnace or an acceptable permanent heating device that can maintain the heat at 22 C or higher.
  - g. Repair the door so it is fitted with a working lock.
  - h. Install a smoke alarm.
  - i. Install a proper washroom and shower facility with a working hand sink.
  - j. Repair or replace the window so that it is weatherproof and meet the emergency egress requirements in Section 3(b) of the Minimum Housing and Health Standards.
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 1<sup>st</sup> day of October, 2010. This confirms the verbal order issued on September 24, 2010 to Lenny and Robert.

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Luke Lee  
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, 24<sup>th</sup> 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.***

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**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 2<sup>nd</sup> 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

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[www.calgaryhealthregion.ca/envhealth](http://www.calgaryhealthregion.ca/envhealth)