

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

To: **Motola Omobamiduro**
920 Tuscany Drive NW
Calgary, Alberta T3L 2T5
(the “**Owner**”)

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

Suite 3 1538-27th Avenue SW
Calgary, Alberta

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

Suite 3 1538-27th Avenue SW
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 property has severe smoke damage.
- b. There is no smoke detector evident.
- c. There is no utility service, namely gas and electricity.
- d. The property has soot on the floor, walls and in the vents.
- e. The bedroom windows are broken.
- f. The back door is damaged and not secure.

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 property has severe smoke damage. This is in contravention of section 5 (2) of the Housing Regulation.
- b. There is no smoke detector evident. This is in contravention of section 12 (a) of the Minimum Housing and Health Standards.
- c. There is no utility service, namely gas and electricity. This is in contravention of sections 8 (a) and 11 of the Minimum Housing and Health Standards.
- d. The property has soot on the floor, wall and in the vents. This is in contravention of section 5 of the Minimum Housing and Health Standards.

- e. The bedroom windows are broken. This is in contravention of sections 2 (b) and 3 (a) of the Minimum Housing and Health Standards.
- f. The back door is damaged and not secure. This is in contravention of sections 2 (b) and 3 (a).

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, Thursday the 5th day of August, 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. Remove and replace all smoke damaged materials.
 - b. Install smoke detectors and ensure that they are in working order.
 - c. Restore utility service ensuring delivery of gas and electricity.
 - d. Clean and sanitize all surfaces throughout the suite.
 - e. The vents must be professionally cleaned and sanitized.
 - f. Replace all damaged windows and doors.
 - g. Replace all affected window and door hardware such that it is safe and secure.
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 13th day of August, 2010 confirming the verbal order issued on the 5th day of August, 2010 to Motola Omobamiduro.

Salima Kassam
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
Fax: 403-995-2639

Strathmore

Public Health Building
650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244

www.calgaryhealthregion.ca/envhealth