

**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 5 1538-27<sup>th</sup> Avenue SW  
Calgary, Alberta

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

Suite 5 1538-27<sup>th</sup> 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.
- g. There is an approximately 4 foot hole in the floor.

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).
- g. There is an approximately 4 foot hole in the floor. This is in contravention of section 5 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, Thursday the 5<sup>th</sup> 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.
  - h. Repair the hole in the floor of the bedroom.
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 13<sup>th</sup> day of August, 2010 confirming the verbal order issued on the 5<sup>th</sup> day of August, 2010 to Motola Omobamiduro.

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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, 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

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