

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

- To:** David Wai-Man Wong
#106 5621 11 Street NE
Calgary, Alberta, T2E 6Z7
(the “**Owner**”)
- And To:** David Wai-Man Wong
1816 Elizabeth Street SE
Calgary, Alberta, T2G 4H4
(the “**Owner**”)
- And To:** All Occupants of those premises located in Calgary, Alberta and municipally described as:

108 Huntford Close NE
Calgary, Alberta
- Re:** Those premises located in Calgary, Alberta and municipally described as:

108 Huntford Close NE, 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 upstairs bathroom plumbing fixtures on the main floor are leaking significantly, causing water to pour into the basement bathroom in various places.
- b. The toilet in the main floor bathroom is leaking.
- c. The moisture meter identifies that the main floor bathroom floor is saturated.
- d. The moisture meter identifies that the main floor bathroom wall adjacent to the bathtub is saturated.
- e. There is no smoke detector in the basement to serve the basement bedrooms.
- f. The smoke detector on the main floor is not functioning.
- g. The kitchen stove does not function.
- h. There is a small amount of mould on the wall behind the toilet in the basement bathroom.
- i. There is a hole in the wall in the main floor bathroom.
- j. There is a broken window in the basement utility / furnace room.

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Re: Those premises located in Calgary, Alberta and municipally described as **108 Huntford Close NE.**

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 upstairs bathroom plumbing fixtures on the main floor are leaking significantly, causing water to pour into the basement bathroom in various places. This is in contravention of the Minimum Housing and Health Standards, Section 6(c).
- b. The toilet in the main floor bathroom is leaking. This is in contravention of the Minimum Housing and Health Standards, Section 6(c).
- c. The moisture meter identifies that the main floor bathroom floor is saturated. This is in contravention of the Minimum Housing and Health Standards, Section 5(a).
- d. The moisture meter identifies that the main floor bathroom wall adjacent to the bathtub is saturated. This is in contravention of the Minimum Housing and Health Standards, Section 5(a).
- e. There is no smoke detector in the basement to serve the basement bedrooms. This is in contravention of the Minimum Housing and Health Standards, Section 12.
- f. The smoke detector on the main floor is not functioning. This is in contravention of the Minimum Housing and Health Standards, Section 12.
- g. The kitchen stove does not function. This is in contravention of the Minimum Housing and Health Standards, Section 14(a).
- h. There is a small amount of mould on the wall behind the toilet in the basement bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 5(a).
- i. There is a hole in the wall in the main floor bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 5(a).
- j. There is a broken window in the basement utility / furnace room. This is in contravention of the Minimum Housing and Health Standards, Section 2(b).

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. That tenants inhabiting the above noted premises be **vacated** no later than **10am, on Friday , the 5th March, 2010.**
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. Repair the leaking plumbing fixtures causing water to pour into the basement bathroom.
 - b. Repair the leaking toilet in the main floor bathroom.
 - c. Remove the flooring in the main floor bathroom, inspect the sub floor and replace any water damaged materials.
 - d. Remove the water damaged materials from the main floor bathroom wall adjacent to the bathtub, and replace with a suitable bathroom drywall and refinish it.
 - e. Ensure there is a working smoke detector in the basement.

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- f. Repair or replace the smoke detector on the main floor.
- g. Repair or replace the kitchen stove.
- h. Remove any mould and water damaged materials from the basement bathroom walls and ceiling. Replace with a suitable bathroom drywall and refinish it.
- i. Repair the hole in the wall in the main floor bathroom.
- j. Replace the broken window in the basement utility / furnace room.

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 22nd day of February, 2010, confirming the verbal order given on 19th day of February, 2010.

Sarah L Nunn 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.

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Fax: 403-912-8410

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