

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

To: 514048 Alberta Ltd.
#100- 2411 4th Street NW
Calgary, Alberta T2M 2Z8
(the “**Owner**”)

James R Joyce
#1000- 602 6th Avenue SW
Calgary, Alberta T2P 4V1
(the “**Owner**”)

514048 Alberta Ltd. and/or James R Joyce
3106 4 Street NW
Calgary, Alberta T2M 3A4
(the “**Owner**”)

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

Middle Suite – 1111 Colgrove Avenue NE
Calgary, Alberta

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

Middle Suite – 1111 Colgrove Avenue 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. No smoke detector present.
- b. Most windows in suite are not double pane or weatherproof; living room, west bedroom, east bedroom, and kitchen.
- c. Windows in suite have damaged or no screens on openable windows; living room, west bedroom, east bedroom, bathroom, and kitchen.
- d. The west bedroom has locked bars on the window.
- e. Most flooring in suite is damaged, lifting or torn.
- f. The kitchen faucet/sink is in a state of disrepair.
- g. The back entry door is not weatherproof.

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Re: Those premises located in Calgary, Alberta and municipally described as **Middle Suite – 1111 Colgrove Avenue NE, Calgary, Alberta**

- h. The deck railing is loose and hazardous.
- i. The paint and plaster on bathroom ceiling is peeling and in a state of disrepair.
- j. The wall and ceiling of bathtub surround has water damage and is not waterproof.

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. No smoke detector present. This is in contravention of Section 12 of the Minimum Housing and Health Standards.
- b. Most windows in suite are not double pane or weatherproof; living room, west bedroom, east bedroom, and kitchen. This is in contravention of Section 2(b) of the Minimum Housing and Health Standards.
- c. Windows in suite have damaged or no screens on openable windows; living room, west bedroom, east bedroom, bathroom, and kitchen. This is in contravention of Section 2(b) of the Minimum Housing and Health Standards.
- d. The west bedroom has locked bars on the window. This is in contravention of Section 3(b) of the Minimum Housing and Health Standards.
- e. Most flooring in suite is damaged, lifting or torn. This is in contravention of Section 1 and 5 of the Minimum Housing and Health Standards.
- f. The kitchen faucet/sink is in a state of disrepair. This is in contravention of Section 6 of the Minimum Housing and Health Standards.
- g. The back entry door is not weatherproof. This is in contravention of Section 2(b) of the Minimum Housing and Health Standards.
- h. The deck railing is loose and hazardous. This is in contravention of Section 3(c) of the Minimum Housing and Health Standards.
- i. The paint and plaster on bathroom ceiling is peeling and in a state of disrepair. This is in contravention of Section 1 and 5 of the Minimum Housing and Health Standards.
- j. The wall and ceiling of bathtub surround has water damage and is not waterproof. This is in contravention of Section 1 and 5 of the Minimum Housing and Health Standards.

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 the above noted premises remain **vacated**.
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. Install working smoke detector immediately.
 - b. Remove bars on all bedroom windows that require use of tools or special

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- knowledge to open.
- c. Install or repair screens on all opening windows.
 - d. Install windows that are double pane, weatherproof and any openable windows must have a locking mechanism.
 - e. Repair back door to ensure it is weatherproof.
 - f. Repair or replace all damaged surfaces including but not inclusive to; ceilings, walls, doors, and floors.
 - g. Repair or replace deck railing to meet current building codes, work must be approved by a Safety Codes Officer.
 - h. Repair or replace bathtub surround to ensure it is waterproof and easily cleanable.
 - i. Repair or replace kitchen sink and faucet to be leak free and sealed to counter in a waterproof manner.
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 23 day of April, 2010. Verbal order issued during a phone conversation, to James R Joyce on April 23, 2010.

Heather A Langemann, 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.

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

Didsbury

Didsbury Health Unit
PO Box 130
1210 -20th Avenue

Okotoks

Okotoks Public Health Centre
11 Cimarron Commons
Okotoks, AB T1S 2E9

Strathmore

Public Health Building
650 Westchester Road
Strathmore, AB T1P 1H8

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Re: Those premises located in Calgary, Alberta and municipally described as **Middle Suite – 1111 Colgrove Avenue NE, Calgary, Alberta**

Claresholm, AB T0L 0T0
Phone: 403-625-4061
Fax: 403-625-4062

Didsbury, AB T0M 0W0
Phone: 403-335-7292
Fax: 403-335-7610

Phone: 403-995-2600
Fax: 403-995-2639

Phone: 403-361-7200
Fax: 403-361-7244

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