

IN THE MATTER OF THE PUBLIC HEALTH ACT – ALBERTA

ORDER OF AN EXECUTIVE OFFICER

To: Ayondu Chiebuka
17 Martinvalley Place NE
Calgary, Alberta T2A 5Y7
(the “**Owner**”)

Emmanuel Mbakwe
17 Martinvalley Place NE
Calgary, Alberta T2A 5Y7
(the “**Owner**”)

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

Basement Suite
17 Martinvalley Place NE
Calgary, Alberta

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

Basement Suite
17 Martinvalley Place 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. Small room in basement being used as a sleeping room does not have any windows or other emergency egress to the exterior.
- b. No operational smoke detectors in basement.
- c. Back bedroom opening windows do not have screens.
- d. Many electrical outlets and switches lack cover plates throughout suite.
- e. Stove in state of disrepair.
- f. Kitchen sink is not connected to sanitary sewer, potable hot and cold running water and is not suitably sized to allow food preparation.

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:

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Re: Premises located in Calgary, Alberta and municipally described as 17 Martinvalley Place NE

- a. Small room in basement is being used as sleeping room does not have any windows or other emergency egress. This is in contravention of Section 3(b) of the Minimum Housing and Health Standards.
- b. No operational smoke detectors in basement. This is in contravention of Section 12 and 12 (a) of the Minimum Housing and Health Standards.
- c. Back bedroom opening windows do not have screens. This is in contravention of Section 2 (b) (iii) of the Minimum Housing and Health Standards.
- d. Many exposed electrical outlets and switches throughout suite. This is in contravention of Section 11 of the Minimum Housing and Health Standards.
- e. Stove in state of disrepair. This is in contravention of Section 14(a)(iv).
- f. Kitchen sink is not connected to sanitary sewer, potable hot and cold running water and is not suitably sized to allow food preparation. This is in contravention of Section 14(a)(i).

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 5:00PM, on Monday, the 08 day of February, 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. Do not allow small windowless room to be used for sleeping purposes or install a window to the exterior that meets the requirements of Section 3(b) of the Minimum Housing and Health Standards.
 - b. Smoke detectors must be installed between all sleeping rooms.
 - c. Screens must be installed on all opening windows.
 - d. All electrical switch plates must be replaced; all electrical outlet covers must be replaced. Any non-operational switches or outlets must be repaired by a licensed electrician.
 - e. Stove including all elements and oven must be in proper working condition and supplied by a proper grounded electrical outlet.
 - f. A suitably sized kitchen sink (to allow the preparation of food, washing utensils and any other cleaning operation) must be installed that is connected to the sanitary sewer with hot and cold potable running water. The installation must be completed in a manner that allows proper cleaning and prevents water infiltration to surrounding area.
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**.

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Re: Premises located in Calgary, Alberta and municipally described as 17 Martinvalley Place NE

Dated at Calgary, Alberta, this 08 day of February, 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
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
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www.calgaryhealthregion.ca/envhealth