

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

**To:** 1184929 Alberta Ltd.  
1433 7 St NW  
Calgary, Alberta T2M 3H5  
(the “**Owner**”)

Khoang Tam Ly  
1433 7 St NW  
Calgary, Alberta T2M 3H5  
(the “**Owner**”)

Phuong Khai Chau  
1433 7 St NW  
Calgary, Alberta T2M 3H5  
(the “**Owner**”)

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

211 12 Avenue SW  
Calgary, Alberta

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

211 12 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:

Common Area

- a. Mould growth is evident on the ceiling near the laundry room.
- b. Mould growth is evident on the wall in the basement storage area.
- c. Electrical outlets in the laundry room are not operational, washer and dryer are being run off of extension cords.
- d. The ceiling in the laundry room is bubbling and in general disrepair.
- e. The entire exterior staircase at the rear of the building is unstable and in disrepair.
- f. Extension cords are plugged into outlets throughout the common area, supplying power to selected units and also being used to run emergency lights.

- g. A large amount of junk is being stored in the basement. This is a fire concern as well as a pest harbourage concern.

Unit 102

- a. The tub surround is cracked and in disrepair.
- b. Baseboards are missing throughout the suite.
- c. There is no electricity to the suite. Tenant is plugging extension cords into common area outlets to steal electricity.
- d. Cat faeces are littered throughout the unit.
- e. Windows are not well weatherproofed and are very drafty.
- f. There are no screens over the openable windows.
- g. Windows are not capable of staying open on their own.
- h. There is a metal cage over the window that cannot be opened from inside the suite.
- i. A light fixture is missing from the living room ceiling, exposing electrical wires.
- j. Kitchen floor is in serious disrepair.
- k. There is no ventilation in the bathroom.
- l. Electrical outlets are not covered with plate covers.
- m. The bathroom ceiling is in disrepair.
- n. Bedroom ceiling is in disrepair.
- o. Sections of wall in the unit are in disrepair.
- p. The water temperature was measured at 38 degrees Celsius.
- q. The entire unit was filthy.

Unit 103

- a. Floor in the bathroom is very uneven and is caving in sections.
- b. Vent in the bathroom is not operational.
- c. Sections of wall in the unit have holes.
- d. Smoke alarm is not operational.
- e. There is water damage evident along portions of wall and ceiling.
- f. The staircase to the loft level is unsafe.
- g. There is no window in the bedroom.
- h. Many holes were evident in the cupboards/vanities allowing vermin easy access to the unit.
- i. The kitchen floor is in disrepair.

Unit 105

- a. There is no smoke alarm in the unit.
- b. The bathroom walls, floors and tub surround around the bathtub are water damaged and in serious disrepair.
- c. The caulking around the bathtub is rusted, mouldy and filthy.
- d. The wall behind the bathroom sink is in serious disrepair.
- e. The lighting fixture in the bathroom is unsafe and in disrepair.
- f. Mouse droppings are present under the kitchen sink.
- g. The ceiling in the bathroom is in disrepair.
- h. There is no ventilation in the bathroom.

Unit 106

- a. There is a metal cage over the window that cannot be opened from the inside.
- b. Walls in the unit are in disrepair, with several holes in them.
- c. The wooden frame around the shower is mouldy, saturated with water and rotten.
- d. The shower stall is filthy and mouldy.
- e. The oven door is in disrepair and is not capable of closing.
- f. Mouse droppings are evident in the kitchen cupboards.
- g. Kitchen ceiling is in disrepair.
- h. Roofing tar is dripping in to the kitchen from the attic hatch.
- i. The bathroom floor tiles are in disrepair.
- j. The smoke alarm in the unit is not operational.
- k. There is a leak from the shower faucet.
- l. There is no ventilation in the bathroom.

Unit 107

- a. The kitchen ceiling is water damaged and in disrepair.
- b. Holes in the ceiling have been covered with corrugated plastic.
- c. There is a leak from the bathroom sink.
- d. Electrical outlets are missing plate covers.
- e. The only openable window in the unit is in the bathroom.
- f. There are no screens over any window.
- g. There is a bar over the living room/bedroom window.
- h. The lock and handle for the living room/bedroom window has been sealed shut with spray foam.
- i. The frame of the window in the bathroom is rotten, mouldy and in disrepair.
- j. The kitchen floor tiles are in disrepair.
- k. Windows are all single pane.

Unit 108

- a. Mouse droppings are present under the kitchen sink.
- b. The shower area is mouldy and in disrepair.
- c. There is a leak from the bathroom sink.
- d. The bathroom floor is in disrepair.
- e. Electrical outlets are not covered with plate covers.
- f. The backsplash behind the kitchen sink is in disrepair.
- g. The bathroom ceiling is in disrepair.
- h. The entire unit is filthy.

Unit 110

- a. There is a large hole in the cupboard beneath the bathroom sink.
- b. Mouse droppings are evident beneath the kitchen sink.
- c. The base of the shower is dirty and mouldy.
- d. Several ceiling tiles are water damaged.
- e. There is no ventilation in the bathroom.

Unit 201

- a. The flooring in the bathroom is in disrepair, filthy and mouldy.
- b. There is no ventilation in the bathroom.
- c. The ceiling in the bathroom is cracked and in disrepair.
- d. The entire bathroom is filthy.
- e. The toilet lid and seat are in disrepair.
- f. The ceiling is covered with egg cartons and is not easily cleanable, smooth or impervious to moisture.
- g. There is no electricity to this unit.
- h. Heat to this unit is sporadic – tenants claim heat comes on for half an hour at 9:00am and 9:00pm.
- i. The walls in the bathroom are cracked and in disrepair.
- j. The water pressure to the taps is extremely low.
- k. There is a piece of wood wedged under the bathroom sink for support.
- l. Electrical wires are hanging and exposed.
- m. The frame around the window in the living room was rotten and in disrepair.
- n. Windows are single pane.

Unit 203

- a. The walls around the bathtub are in disrepair.
- b. The tub surround is in disrepair.
- c. Sections of ceiling are water damaged.
- d. Sections of ceiling are cracked, bubbling and peeling.
- e. Window is not capable of staying open on its own.
- f. The bathroom fan is in disrepair.

Unit 204

- a. The ceiling in the living room is in disrepair.
- b. Roofing tar is dripping from the living room ceiling on to the floor.
- c. Kitchen ceiling is in disrepair.
- d. Windows throughout the unit are cracked.
- e. There are no screens over the windows.
- f. The heat to the unit is sporadic – tenant claims heat comes on for half an hour at 9:00am and at 9:00pm.
- g. Electrical outlets are missing plate covers.
- h. Electrical wires are hanging from the living room ceiling.
- i. There is a leak from the bathtub faucet.
- j. There is no ventilation in the bathroom.
- k. A transition bar is missing from the floor between the living room and the kitchen leaving exposed a sharp, uneven surface.
- l. The ceiling in the bathroom is mouldy and cracking.

Unit 205

- a. The bathroom ceiling is water damaged, mouldy and in serious disrepair.

- b. There is no functional smoke alarm in the unit.
- c. There is no ventilation fan in the bathroom.

Unit 206

- a. Sections of wall throughout the unit are in disrepair.
- b. There is no ventilation to the bathroom.
- c. The kitchen counter tops are in serious disrepair.
- d. Ceilings throughout the unit are water damaged.

Unit 207

- a. Mouse droppings are evident within the unit.
- b. Evidence of bed bugs in the unit.
- c. Mould growth is evident in the bathroom.
- d. There is a metal cage over the windows that cannot be opened from the inside.
- e. The smoke detector is not operational.
- f. The ceiling in the bathroom is in disrepair.
- g. The ceiling in the living room/bedroom is water damaged, cracked and in disrepair.
- h. Kitchen floor tiles are cracked and in disrepair.
- i. Windows are not capable of staying open on their own.
- j. The insect screen is torn and ineffective.
- k. There is a hole in the wall by the fridge.
- l. Some walls in the bathroom are bare, rough concrete.
- m. A piece of bare, unsealed wood is being used to anchor the shower head.
- n. Mould growth is evident on the piece of wood being used to anchor the shower head.

Unit 208

- a. Electricity has been placed on a load limiter. Tenant is running extension cords from the common area outlets to power a computer.
- b. The window frame is not properly finished and is in disrepair.
- c. The wall behind the radiator is badly damaged.
- d. The smoke alarm is not functional.
- e. The ceiling is water damaged near the windows.
- f. The flooring is in disrepair beneath the window on the right hand side of the unit.

Unit 209

- a. The smoke alarm is not operational.
- b. Windows in the unit are single pane.
- c. Windows in the unit are sealed shut.
- d. Screens are missing from all openable windows.
- e. Mouse droppings are evident within the suite. A mouse was seen swimming among dishes in a kitchen sink full of water.
- f. Floor tiles in the kitchen are in disrepair.
- g. There are large holes in the cupboard under the bathroom sink.

Unit 210

- a. Mouse droppings are evident throughout the unit.
- b. There is no fan in the bathroom.
- c. The area beneath the skylight in the bathroom has been covered over with a piece of plywood. Plywood is absorbent, permeable and not easily cleanable.
- d. There is a hole in the bathroom wall between the shower stall and the radiator.

Unit 211

- a. Live bedbugs are present in this unit.
- b. Windows are not capable of staying open on their own.
- c. Walls throughout the bathroom are in disrepair.
- d. Smoke alarm is not operational.
- e. There is no ventilation in the bathroom.
- f. The shower wall is buckled and in disrepair. The shower area is filthy with dirt and mould.
- g. The shower stall is not secured to the ground – it sways 3 feet in all directions.

Unit 212

- a. Mouse droppings found within the suite.
- b. Sections of ceiling are water damaged and mouldy.
- c. Bathroom ventilation fan is not operational.
- d. Tub surround is filthy, rotten and in disrepair.

Unit 214

- a. Flooring in the kitchen is in disrepair.
- b. There is a leak from the kitchen tap.
- c. Mouse droppings found throughout the suite.
- d. There is no smoke detector in this unit.
- e. Flooring throughout the bathroom is filthy and in disrepair.
- f. The walls throughout the entire bathroom are filthy and in disrepair.
- g. The kitchen cupboards are filthy and in disrepair.
- h. The wall around the kitchen sink is water damaged, mouldy and in disrepair.
- i. The wall behind the radiator is in serious disrepair.

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:

Common Area

- a. Mould growth is evident on the ceiling near the laundry room. This is in contravention of the Minimum Housing and Health Standards, Section 5, and the Housing Regulation, Section 5(2).
- b. Mould growth is evident on the wall in the basement storage area. This is in contravention of the Minimum Housing and Health Standards, Section 5, and the

- c. Housing Regulation, Section 5(2).  
Electrical outlets in the laundry room are not operational, washer and dryer are being run off of extension cords. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- d. The ceiling in the laundry room is bubbling and in general disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) and 5.
- e. The entire exterior staircase at the rear of the building is unstable and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 1(a) and 3(c).
- f. Extension cords are plugged into outlets throughout the common area, supplying power to selected units and also being used to run emergency lights. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- g. A large amount of junk is being stored in the basement. This is a fire concern as well as a pest harbourage concern. This is in contravention of the Housing Regulation section 5(2).

Unit 102

- a. The tub surround is cracked and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
- b. Baseboards are missing throughout the suite. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- c. There is no electricity to the suite. Tenant is plugging extension cords into common area outlets to steal electricity. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- d. Cat faeces are littered throughout the unit. This is in contravention of the Housing Regulation, Section 5(2).
- e. Windows are not well weatherproofed and are very drafty. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(i).
- f. There are no screens over the openable windows. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(iii).
- g. Windows are not capable of staying open on their own, which can impede egress in an emergency. This is in contravention of the Minimum Housing and Health Standards, Section 3(b).
- h. There is a metal cage over the window that cannot be opened from inside the suite. This is in contravention of the Minimum Housing and Health Standards, Section 3(b).
- i. A light fixture is missing from the living room ceiling, exposing electrical wires. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- j. Kitchen floor is in serious disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(b).
- k. There is no ventilation in the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).
- l. Electrical outlets are not covered with plate covers. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- m. The bathroom ceiling is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
- n. Bedroom ceiling is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5.

- o. Sections of wall in the unit are in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- p. The water temperature was measured at 38 degrees Celsius. This is in contravention of the Minimum Housing and Health Standards, section 9(a).
- q. The entire unit was filthy. This is in contravention of the Housing Regulation, Section 5(2).

Unit 103

- a. Floor in the bathroom is very uneven and is caving in sections. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
- b. Vent in the bathroom is not operational. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).
- c. Sections of wall in the unit have holes. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- d. Smoke alarm is not operational. This is in contravention of the Minimum Housing and Health Standards, Section 12(a).
- e. There is water damage evident along portions of wall and ceiling. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) and 5.
- f. The staircase to the loft level is unsafe. This is in contravention of the Minimum Housing and Health Standards, Section 3(c).
- g. There is no window in the bedroom. This is in contravention of the Minimum Housing and Health Standards, Section 3(b).
- h. Many holes were evident in the cupboards/vanities allowing vermin easy access to the unit. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- i. The kitchen floor is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(b).

Unit 105

- a. There is no smoke alarm in the unit. This is in contravention of the Minimum Housing and Health Standards, Section 12.
- b. The bathroom walls, floors and tub surround around the bathtub are water damaged and in serious disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 1(c), 5 and 5(a).
- c. The caulking around the bathtub is rusted, mouldy and filthy. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
- d. The wall behind the bathroom sink is in serious disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 1(c), 5 and 5(a).
- e. The lighting fixture in the bathroom is unsafe and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- f. Mouse droppings are present under the kitchen sink. This is in contravention of the Minimum Housing and Health Standards, Section 16(a).
- g. The ceiling in the bathroom is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
- h. There is no ventilation in the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).

Unit 106

- a. There is a metal cage over the window that cannot be opened from the inside. This is in contravention of the Minimum Housing and Health Standards, Section 3(b).
- b. Walls in the unit are in disrepair, with several holes in them. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- c. The wooden frame around the shower is mouldy, saturated with water and rotten. This is in contravention of the Minimum Housing and Health Standards, Section 1(c), 5 and 5(a).
- d. The shower stall is filthy and mouldy. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a) and the Housing Regulation, Section 5(2).
- e. The oven door is in disrepair and is not capable of closing. This is in contravention of the Minimum Housing and Health Standards, Section 14(a)(iv).
- f. Mouse droppings are evident in the kitchen cupboards. This is in contravention of the Minimum Housing and Health Standards, Section 16(a).
- g. Kitchen ceiling is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(b).
- h. Roofing tar is dripping in to the kitchen from the attic hatch. This is in contravention of the Minimum Housing and Health Standards, Section 2(a) and the Housing Regulation, Section 5(2).
- i. The bathroom floor tiles are in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
- j. The smoke alarm in the unit is not operational. This is in contravention of the Minimum Housing and Health Standards, Section 12(a).
- k. There is a leak from the shower faucet. This is in contravention of the Minimum Housing and Health Standards, Section 6(c).
- l. There is no ventilation in the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).

Unit 107

- a. The kitchen ceiling is water damaged and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 1(c), 5 and 5(b).
- b. Holes in the ceiling have been covered with corrugated plastic. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- c. There is a leak from the bathroom sink. This is in contravention of the Minimum Housing and Health Standards, Section 6(c).
- d. Electrical outlets are missing plate covers. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- e. The only operable window in the unit is in the bathroom. This is in contravention of the Minimum Housing and Health Standards, Sections 3(b) and 4(a).
- f. There are no screens over any window. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(iii).
- g. There is a bar over the living room/bedroom window. This is in contravention of the Minimum Housing and Health Standards, Section 3(b).
- h. The lock and handle for the living room/bedroom window has been sealed shut with spray foam. This is in contravention of the Minimum Housing and Health Standards, Section 3(b).

- i. The frame of the window in the bathroom is rotten, mouldy and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 1(c), 5 and 5(a).
- j. The kitchen floor tiles are in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(b).
- k. Windows are all single pane. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(ii).

Unit 108

- a. Mouse droppings are present under the kitchen sink. This is in contravention of the Minimum Housing and Health Standards, Section 16(a).
- b. The shower area is mouldy and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 1(c), 5 and 5(a), and the Housing Regulation, Section 5(2).
- c. There is a leak from the bathroom sink. This is in contravention of the Minimum Housing and Health Standards, Section 6(c).
- d. The bathroom floor is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
- e. Electrical outlets are not covered with plate covers. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- f. The backsplash behind the kitchen sink is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(b).
- g. The bathroom ceiling is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
- h. The entire unit is filthy. This is in contravention of the Housing Regulation, Section 5(2).

Unit 110

- a. There is a large hole in the cupboard beneath the bathroom sink. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
- b. Mouse droppings are evident beneath the kitchen sink. This is in contravention of the Minimum Housing and Health Standards, Section 16(a).
- c. The base of the shower is dirty and mouldy. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a), and the Housing Regulation, Section 5(2).
- d. Several ceiling tiles are water damaged. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) and 5.
- e. There is no ventilation in the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).

Unit 201

- a. The flooring in the bathroom is in disrepair, filthy and mouldy. This is in contravention of the Minimum Housing and Health Standards, Section 5, 5(a) and the Housing Regulation, Section 5(2).
- b. There is no ventilation in the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).

- c. The ceiling in the bathroom is cracked and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
- d. The entire bathroom is filthy. This is in contravention of the Housing Regulation, Section 5(2).
- e. The toilet lid and seat are in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 6(c).
- f. The ceiling is covered with egg cartons and is not easily cleanable, smooth or impervious to moisture. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- g. There is no electricity to this unit. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- h. Heat to this unit is sporadic – tenants claim heat comes on for half an hour at 9:00am and at 9:00pm. This is in contravention of the Minimum Housing and Health Standards, Section 8(a) and 8(d).
- i. The walls in the bathroom are cracked and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
- j. The water pressure to the taps is extremely low. This is in contravention of the Minimum Housing and Health Standards, Section 9.
- k. There is a piece of wood wedged under the bathroom sink for support. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a) and the Housing Regulation, Section 5(2).
- l. Electrical wires are hanging and exposed. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- m. The frame around the window in the living room is rotten and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) and 5.
- n. Windows are single pane. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(ii).

Unit 203

- a. The walls around the bathtub are in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
- b. The tub surround is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
- c. Sections of ceiling are water damaged. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) and 5.
- d. Sections of ceiling are cracked, bubbling and peeling. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) and 5.
- e. Window is not capable of staying open on its own. This is in contravention of the Minimum Housing and Health Standards, Section 3(b).
- f. The bathroom fan is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).

Unit 204

- a. The ceiling in the living room is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- b. Roofing tar is dripping from the living room ceiling on to the floor. This is in contravention of the Minimum Housing and Health Standards, Section 2(a) and the

- Housing Regulation, Section 5(2).
- c. Kitchen ceiling is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(b).
  - d. Windows throughout the unit are cracked. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(i).
  - e. There are no screens over the windows. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(iii).
  - f. The heat to the unit is sporadic – tenant claims heat comes on for half an hour at 9:00am and at 9:00pm. This is in contravention of the Minimum Housing and Health Standards, Section 8(a) and 8(d).
  - g. Electrical outlets are missing plate covers. This is in contravention of the Minimum Housing and Health Standards, Section 11.
  - h. Electrical wires are hanging from the living room ceiling. This is in contravention of the Minimum Housing and Health Standards, Section 11.
  - i. There is a leak from the bathtub faucet. This is in contravention of the Minimum Housing and Health Standards, Section 6(c).
  - j. There is no ventilation in the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).
  - k. A transition bar is missing from the floor between the living room and the kitchen leaving exposed a sharp, uneven surface. This is in contravention of the Minimum Housing and Health Standards, Section 5.
  - l. The ceiling in the bathroom is mouldy and cracking. This is in contravention of the Minimum Housing and Health Standards, Section 1(c), 5 and 5(a) and the Housing Regulation, Section 5(2).

Unit 205

- a. The bathroom ceiling is water damaged, mouldy and in serious disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 1(c), 5 and 5(a), and the Housing Regulation, Section 5(2).
- b. There is no functional smoke alarm in the unit. This is in contravention of the Minimum Housing and Health Standards, Section 12.
- c. There is no ventilation fan in the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).

Unit 206

- a. Sections of wall throughout the unit are in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- b. There is no ventilation to the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).
- c. The kitchen counter tops are in serious disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 14(a)(iii).
- d. Ceilings throughout the unit are water damaged. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) and 5.

Unit 207

- a. Mouse droppings are evident within the unit. This is in contravention of the

- Minimum Housing and Health Standards, Section 16(a).
- b. Evidence of bed bugs in the unit. This is in contravention of the Minimum Housing and Health Standards, Section 16(a).
  - c. Mould growth is evident in the bathroom. This is in contravention of the Housing Regulation, Section 5(2).
  - d. There is a metal cage over the windows that cannot be opened from the inside. This is in contravention of the Minimum Housing and Health Standards, Section 3(b).
  - e. The smoke detector is not operational. This is in contravention of the Minimum Housing and Health Standards, Section 12.
  - f. The ceiling in the bathroom is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
  - g. The ceiling in the living room/bedroom is water damaged, cracked and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 1(c), 5, and 5(a).
  - h. Kitchen floor tiles are cracked and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(b).
  - i. Windows are not capable of staying open on their own. This is in contravention of the Minimum Housing and Health Standards, Section 3(b).
  - j. The insect screen is torn and ineffective. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(iii).
  - k. There is a hole in the wall by the fridge. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(b).
  - l. Some walls in the bathroom are bare, rough concrete. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
  - m. A piece of bare, unsealed wood is being used to anchor the shower head. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
  - n. Mould growth is evident on the piece of wood being used to anchor the shower head. This is in contravention of the Housing Regulation, Section 5(2).

Unit 208

- a. Electricity has been placed on a load limiter. Tenant is running extension cords from the common area outlets to power a computer. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- b. The window frame is not properly finished and is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- c. The wall behind the radiator is badly damaged. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) and 5.
- d. The smoke alarm is not functional. This is in contravention of the Minimum Housing and Health Standards, Section 12.
- e. The ceiling is water damaged near the windows. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) and 5.
- f. The flooring is in disrepair beneath the window on the right hand side of the unit. This is in contravention of the Minimum Housing and Health Standards, Section 5.

Unit 209

- a. The smoke alarm is not operational. This is in contravention of the Minimum

- Housing and Health Standards, Section 12.
- b. Windows in the unit are single pane. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(ii).
  - c. Windows in the unit are sealed shut. This is in contravention of the Minimum Housing and Health Standards, Section 3(b).
  - d. Screens are missing from all openable windows. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(iii).
  - e. Mouse droppings are evident within the suite. A mouse was seen swimming among dishes in a kitchen sink full of water. This is in contravention of the Minimum Housing and Health Standards, Section 16(a).
  - f. Floor tiles in the kitchen are in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(b).
  - g. There are large holes in the cupboard under the bathroom sink. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).

Unit 210

- a. Mouse droppings are evident throughout the unit. This is in contravention of the Minimum Housing and Health Standards, Section 16(a).
- b. There is no fan in the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).
- c. The area beneath the skylight in the bathroom has been covered over with a piece of plywood. Plywood is absorbent, permeable and not easily cleanable. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
- d. There is a hole in the bathroom wall between the shower stall and the radiator. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).

Unit 211

- a. Live bedbugs are present in this unit. This is in contravention of the Minimum Housing and Health Standards, Section 16(a).
- b. Windows are not capable of staying open on their own. This is in contravention of the Minimum Housing and Health Standards, Section 3(b).
- c. Walls throughout the bathroom are in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a).
- d. Smoke alarm is not operational. This is in contravention of the Minimum Housing and Health Standards, Section 12.
- e. There is no ventilation in the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).
- f. The shower wall is buckled and in disrepair. The shower area is filthy with dirt and mould. This is in contravention of the Minimum Housing and Health Standards, Section 1(c), 5 and 5(a) and the Housing Regulation, Section 5(2).
- g. The shower stall is not secure to the ground – it sways 3 feet in all directions. This is in contravention of the Minimum Housing and Health Standards, Section 1(c), 5 and 5(a).

Unit 212

- a. Mouse droppings found within the suite. This is in contravention of the Minimum Housing and Health Standards, Section 16(a).
- b. Sections of ceiling are water damaged and mouldy. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) and 5.
- c. Bathroom ventilation fan is not operational. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).
- d. Tub surround is filthy, rotten and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 1(c), 5 and 5(a).

Unit 214

- a. Flooring in the kitchen is in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(b).
- b. There is a leak from the kitchen tap. This is in contravention of the Minimum Housing and Health Standards, Section 6(c).
- c. Mouse droppings found throughout the suite. This is in contravention of the Minimum Housing and Health Standards, Section 16(a).
- d. There is no smoke detector in this unit. This is in contravention of the Minimum Housing and Health Standards, Section 12.
- e. Flooring throughout the bathroom is filthy and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a) and the Housing Regulation, Section 5(2).
- f. The walls throughout the entire bathroom are filthy and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5 and 5(a) and the Housing Regulation, Section 5(2).
- g. The kitchen cupboards are filthy and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 14(a)(ii) and the Housing Regulation, Section 5(2).
- h. The wall around the kitchen sink is water damaged, mouldy and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 1(c), 5 and 5(b).
- i. The wall behind the radiator is in serious disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) and 5.

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 12:00pm, on Wednesday, the 12<sup>th</sup> day of January, 2011.

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. Install or repair smoke alarms in all suites where they are missing or not operational.
  - b. Hire the services of a professional pest control company to treat each unit as well as the entire common area for mice. A pest control company must also treat units 207 and 211 for bedbugs as well as conduct inspections in all adjacent suites (beside, above and below) and treat them if necessary. Provide a copy of the invoice for all work completed to an Executive Officer.
  - c. Remove all metal cages from the exterior of windows and ensure all windows are fitted with a proper locking mechanism.
  - d. Ensure at least one window in rooms used for sleeping is openable and meets the requirements of 3(b) of the Minimum Housing and Health Standards.
  - e. All windows must be capable of staying open on their own, double paned and weatherproofed, and must be fitted with a tight fitting insect screen in good repair.
  - f. Ensure the lofted area in unit 103 is not used for sleeping purposes unless an openable window that meets the Standards is installed and the staircase to the loft is rebuilt to meet the Standards and Alberta Building Code requirements.
  - g. Repair all electrical fixtures, outlets and switches and ensure extension cords are not plugged into outlets in the common area.
  - h. Replace all broken or cracked windows.
  - i. Repair all plumbing leaks.
  - j. Ensure heat to all units is consistent and is capable of being maintained at 22 degrees Celsius at all times.
  - k. Install a ventilation fan in all bathrooms without an existing fan or openable window, and repair or replace all existing fans that are not functional.
  - l. Repair all flooring that is cracked, loose, lifting, or otherwise in disrepair. Ensure the subfloor is in good condition and repair/replace as necessary.
  - m. Cut out all water damaged and mouldy portions of walls and ceilings and replace with new materials.
  - n. Repair all sections of walls and ceilings that are cracked, pitted or otherwise in disrepair. Ensure all walls and ceilings are smooth, impermeable to moisture easily cleanable and in good repair.
  - o. Repair or replace all damaged tub surrounds, ensure all shower stalls are clean and in good repair, and remove all mouldy grout and caulking and replace with new materials.
  - p. Seal all holes in kitchen and bathroom cupboards.
  - q. Cut out all rotten and otherwise damaged window frames and replace with new materials. Ensure all frames are finished and sealed properly.
  - r. Clean tar from units 106 & 204; ensure roof tar does not drip into any suite.
  - s. Repair the oven door in unit 106.
  - t. Repair the toilet in unit 201.
  - u. Restore adequate water pressure to unit 201 and ensure all units have adequate water pressure.
  - v. Ensure the water temperature in all units is constantly maintained between 46 degrees Celsius and 60 degrees Celsius.
  - w. Repair or replace the kitchen countertops in unit 206.

ORDER OF AN EXECUTIVE OFFICER

Re: Those premises located in Calgary, Alberta and municipally described as 211 12 Avenue SW, Calgary, Alberta

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- x. Thoroughly clean and disinfect all units.
  - y. Remove all junk and debris from the basement storage area.
  - z. Repair or replace the exterior staircase at the rear of the building so that it is structurally sound.
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 20<sup>th</sup> day of December, 2010, confirming the verbal order issued to Khoang Tam Ly on the 15<sup>th</sup> day of December, 2010.

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Daria Romanish 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, 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  
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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  
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**Didsbury**  
Didsbury Health Unit  
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1210 -20th Avenue  
Didsbury, AB T0M 0W0  
Phone: 403-335-7292  
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**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  
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[www.calgaryhealthregion.ca/envhealth](http://www.calgaryhealthregion.ca/envhealth)