

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

To: 722413 Alberta Ltd.
2373 Banff Trail NW
Calgary, Alberta T2M 4L2

722413 Alberta Ltd.
Suite 300, 2912 Memorial Drive SE
Calgary, Alberta T2A 6R1

Salim Dhanji
Lake Fraser Drive SE
Calgary, Alberta T2J 7G5

Deepak Ruparell
2200, 411 1 Street SE
Calgary, Alberta T2G 5E7

686166 Alberta Inc.
5707 Macleod Trail S
Calgary, Alberta T2H 0J7

724384 Alberta Inc.
2200, 411 – 1 Street SE
Calgary, Alberta T2G 5E7

Karim Rasul
2373 Banff Trail NW
Calgary, Alberta T2M 4L2

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

#217 2373 Banff Trail NW
Calgary, Alberta

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

#217 2373 Banff Trail NW
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;

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Re: Those premises located in Calgary, Alberta and municipally described as **#217 2373 Banff Trail NW, Calgary, Alberta**

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 smoke alarm is not secured to the ceiling and is hanging by its wires.
- b. The stove and oven do not work.
- c. The frame around the bathroom door is bare wood.
- d. There is a large gap directly to the outdoors at the base of the door.
- e. There is no screen on the front window.

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 smoke alarm is not secured to the ceiling and is hanging by its wires. This is in contravention of the Minimum Housing and Health Standards, Section 12.
- b. The stove and oven do not work. This is in contravention of the Nuisance and General Sanitation Regulation, Section 2(1).
- c. The frame around the bathroom door is bare wood. This is in contravention of the Minimum Housing and Health Standards, Section 5(a).
- d. There is a large gap directly to the outdoors at the base of the door. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(i).
- e. There is no screen on the front window. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(iii).

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 12:00pm, on Wednesday, the 30th day of June, 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. Ensure the smoke alarm is properly secured to the ceiling and fully functional.
 - b. Ensure the stove and oven are fully operational or remove them from the room altogether.
 - c. Seal the bare wood around the bathroom door frame so that the wood is non-absorbent.
 - d. Seal the gap at the base of the door so that the unit is weatherproof and protected from vermin entry.
 - e. Ensure the front window is fitted with a screen.

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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 2nd day of July, 2010, confirming the Verbal Order issued on the 30th day of June, 2010 to Karim Rasul.

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, 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
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www.calgaryhealthregion.ca/envhealth