

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

To: Lynn Dianne Argent
Executrix for Grace Jahraus
226 9th Avenue NE
Calgary, Alberta T2E 0V4
(the “**Owner**”)

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

226 9th Avenue NE
Calgary, Alberta T2E 0V4

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

226 9th Avenue NE
Calgary, Alberta T2E 0V4

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. Heavy mice infestation throughout house.
- b. Fruit fly infestation.
- c. Kitchen facilities (kitchen sink, stove and refrigerator) filthy, in disrepair, and is rendered unusable due to this condition.
- d. Garbage and filth including food debris, newspapers, clothing covering floors, in all rooms of house, hallways, and all surfaces in large volumes.
- e. Plumbing system in disrepair, no water service to taps or toilet in bathroom and kitchen.
- f. Lack of cleanliness in house has lead to noxious odours that emanate from house.
- g. Most windows are covered in house, some are broken. Some bedroom windows are inaccessible.
- h. Could not confirm if smoke detector is operational during inspection.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, and/or the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, exist in and about the above noted premises, namely:

- a. Heavy mice infestation throughout house. This is a contravention of Section 2, of the Nuisance and General Sanitation Regulation.
- b. Fruit fly infestation. This is a contravention of Section 2, of the Nuisance and General Sanitation Regulation.
- c. Kitchen facilities (kitchen sink, stove and refrigerator) filthy, in disrepair, and is rendered unusable due to this condition. This is a contravention of Section 2, of the Nuisance and General Sanitation Regulation.
- d. Garbage and filth including food debris, newspapers, clothing covering floors, in all rooms of house, hallways, and all surfaces in large volumes. This is a contravention of Section 2, of the Nuisance and General Sanitation Regulation.
- e. Plumbing system in disrepair, no water service to taps or toilet in bathroom and kitchen. This is a contravention of Section 2, of the Nuisance and General Sanitation Regulation.
- f. Lack of cleanliness in house has lead to noxious odours that emanate from house. This is a contravention of Section 2, of the Nuisance and General Sanitation Regulation.
- g. Most windows are covered in house, some are broken. Some bedroom windows are inaccessible. This is a contravention of Section 2, of the Nuisance and General Sanitation Regulation.

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 11:00AM, on Thursday, the 01 day of April, 2010.
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. All garbage and filth must be removed and disposed in sanitary landfill.
 - b. Plumbing system must be repaired to provide potable hot and cold running water to all taps, faucets and cold water to toilet. All drainage must be plumbed to the sanitary sewer without leaks.
 - c. Professional pest control must be provided to eradicate pest infestations.
 - d. All surfaces must be cleaned and sanitized. Floors, walls and ceilings must be repaired if structurally unsound or damaged and cannot be suitably cleaned.
 - e. For safety, all windows must be uncovered and repaired if broken or damaged. All bedroom windows must meet the Minimum Housing and Health Standards for emergency egress; must be operable and opening

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area cannot be smaller than 15 inches in any direction. Screens must also be provided on any openable window.

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 9th day of March, 2010. This confirms the verbal order issued March 08th, 2010 to Lynn Argent during inspection.

Heather A Langemann
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
Fax: 403-361-7244

www.calgaryhealthregion.ca/envhealth