

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

To: **Bhangle, Akbal S**
2324-16A Street SW
Calgary, Alberta T2T 4K4

Ramji, Shaff

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

Upper Suite
2324-16A Street SW
Calgary, Alberta

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

Upper Suite
2324- 16A Street 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:

- a. There is a strong odour of sewage throughout the suite, due to the sewage backup in the basement suite.
- b. The carpet and furnishings in the basement suite are soaked from the sewage back up.
- c. The small bedroom window has hardware that impedes egress, rendering the openable area of the window unsatisfactory for emergency egress.
- d. The master bedroom window has hardware that impedes egress, rendering the openable area of the window unsatisfactory for emergency egress.
- e. The window in the master bedroom closet area is cracked.
- f. The window in the small bedroom is cracked.
- g. The guardrail on the second floor of the suite, above the stairs, is broken at the top and very loose.
- h. There is an open access panel containing an electrical outlet, directly beneath the bathtub.
- i. There is peeling paint on the bathroom window frame.
- j. There are three open junction boxes containing exposed electrical wires, in the living room ceiling.

- k. There is no hot water provided to the suite.
- l. There is no heat provided to the suite.

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. There is a strong odour of sewage throughout the suite, due to the sewage backup in the basement suite. This is in contravention of the Housing Regulation, Section 6 (a).
- b. The carpet and furnishings in the basement suite are soaked from the sewage back up. This is in contravention of the Housing Regulation, Sections 1 and 5.
- c. The small bedroom window has hardware that impedes egress, rendering the openable area of the window unsatisfactory for emergency egress. This is in contravention of the Housing Regulation, Section 3 (b)(i).
- d. The master bedroom window has hardware that impedes egress, rendering the openable area of the window unsatisfactory for emergency egress. This is in contravention of the Housing Regulation, Section 3 (b)(i).
- e. The window in the master bedroom closet area is cracked. This is in contravention of the Housing Regulation, Section 2 (b)(i).
- f. The window in the small bedroom is cracked. This is in contravention of the Housing Regulation, Section 2 (b)(i).
- g. The guardrail on the second floor of the suite, above the stairs, is broken at the top and very loose. This is in contravention of the Housing Regulation, Section 3 (c).
- h. There is an open access panel containing an electrical outlet, directly beneath the bathtub. This is in contravention of the Housing Regulation, Sections 5 (a) and 11.
- i. There is peeling paint on the bathroom window frame. This is in contravention of the Housing Regulation, Section 1(c).
- j. There are three open junction boxes containing exposed electrical wires, in the living room ceiling. This is in contravention of the Housing Regulation, Section 11.
- k. There is no hot water provided to the suite. This is in contravention of the Housing Regulation Section 9 (a).
- l. There is no heat provided to the suite. This is in contravention of the Housing Regulation Section 8 (a)(i).

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** immediately.

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. Restore the sewage system to resume full function in the basement suite.
 - b. Remove all absorbent materials (drywall, insulation, subfloor, carpet, underlay) affected by sewage. Clean and sanitize all basement surfaces.
 - c. Replace or modify all bedroom windows such that they meet the openable area requirements of the Minimum Housing and Health Standards, Section 3 (b)(i).
 - d. Repair the cracked windows in the master bedroom closet and small bedroom.
 - e. Repair or replace the guardrail on the second floor of the suite such that it is in good repair and is structurally sound.
 - f. Ensure that the open access panel in the bathroom is sealed.
 - g. Repair the damaged window frame in the bathroom.
 - h. Ensure that the three open junction boxes containing exposed electrical wires in the living room are properly contained such that there is no exposed wiring.
 - i. Ensure that hot water is restored and accessible through all fixtures throughout the suite.
 - j. Ensure that the heating system is restored and able to maintain 22°C at all times.

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 5th day of May, 2010.

This written order confirms the verbal order issued to Shaff Ramji by phone on May 03, 2010.

Karen Clarke
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
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Claresholm

Claresholm Public Health
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Didsbury

Didsbury Health Unit
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Didsbury, AB T0M 0W0
Phone: 403-335-7292
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Okotoks

Okotoks Public Health Centre
11 Cimarron Commons
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Strathmore

Public Health Building
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www.calgaryhealthregion.ca/envhealth

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