

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

To: Central Mortgage and Housing
1701 Centre St NW
Calgary, Alberta T2E 7Y2
(the “**Owner**”)

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

#235 230 5 Avenue SE
Calgary, Alberta

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

#235 230 5 Avenue SE
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 raw sewage over the entire floor of the unit due to a toilet back up.
- b. Raw sewage has contaminated piles of clothing and personal effects left lying on the floor.
- c. There is raw, decaying food left sitting out all over the counter tops and kitchen table.
- d. The ceiling and wall above the kitchen table appear water damaged, mouldy and in disrepair.
- e. The stove and oven may not be in safe operating condition due to a serious cooking fire.
- f. There is an overwhelming odour of raw sewage, rotten food and fire smoke throughout the unit.

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 raw sewage over the entire floor of the unit due to a toilet back up. This is in contravention of the Nuisance and General Sanitation Regulation Section 2(1).
- b. Raw sewage has contaminated piles of clothing and personal effects left lying on

- the floor. This is in contravention of the Nuisance and General Sanitation Regulation Section 2(1).
- c. There is raw, decaying food left sitting out all over the counter tops and kitchen table. This is in contravention of the Nuisance and General Sanitation Regulation Section 2(1).
 - d. The ceiling and wall above the kitchen table appear water damaged, mouldy and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5.
 - e. The stove and oven may not be in safe operating condition due to a serious cooking fire. This is in contravention of the Minimum Housing and Health Standards, Section 14(a)(iv).
 - f. There is an overwhelming odour of raw sewage, rotten food and fire smoke throughout the unit. This is in contravention of the Nuisance and General Sanitation Regulation Section 2(1).

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 4:00pm, on Tuesday, the 29th day of June, 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. Dispose of any absorbent items contaminated by the sewage.
 - b. Dispose of any food remaining in the unit.
 - c. Cut out any water damaged and/or mouldy portions of the wall and ceiling and replace with new materials.
 - d. Clean and sanitize the entire unit, including all floors, walls, counters, cupboards and ceilings.
 - e. Ensure the stove and oven are safe to operate.
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 2nd day of July, 2010, confirming the Verbal Order issued on the 29th day of June, 2010.

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
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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
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Strathmore

Public Health Building
650 Westchester Road
Strathmore, AB T1P 1H8
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www.calgaryhealthregion.ca/envhealth