

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

To: **Amy Wong**
208 Centre St. S.E.
Calgary, Alberta T2G 2B6

And To: All Occupants of those premises located in municipality, Alberta and municipally described as:

2421B - 48 St SE
Calgary, Alberta T2B 1M5

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

2421B - 48 St SE
Calgary, Alberta T2B 1M5

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. The unit is infested with cockroaches.
- b. There were mouse droppings evident in the kitchen cupboards.
- c. There was water damaged w/board & mould growth on the tubsurround walls.
- d. There was water damage evident at the base of the wall in the furnace room.
- e. Holes in the walls/ceiling must be repaired or covered with an access panel.
- f. There was mould growth evident behind & under toilet and adjacent to the tub.
- g. The mouldy ceiling in the bathroom & laundry have had water damage & mould growth repaired by covering the area in mud filler & not removing damaged materials.
- h. The base of the toilet is leaking badly and is loose so the whole toilet moves.
- i. The sink in the bathroom leaks to a bowl under the trap drain & is water damaged.
- j. The new windows installed in the NE & SE corner of this suite are improperly

installed so that snow and rain enter the gap and leak water into the suite around windows and facilitating mould growth on the window sills.

- k. The foundation wall between the east facing windows is leaking water into the suite. No extension on the eavestrough downspout can cause water to drain along side the foundation wall. Two by fours (2X4's) placed to direct water away from the foundation wall may not be completely effective
- l. The main entry door is missing weatherstripping and door knobs & locks are so poorly installed the wind blows in through gaps around the knob & lock.

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 unit is infested with cockroaches. This is in contravention of the Minimum Housing and Health Standards, Section 16(a) which states that "The owner shall ensure that the housing premises are free of insect and rodent infestations."
- b. There were mouse droppings evident in the kitchen cupboards. This is in contravention of the Minimum Housing and Health Standards, Section 16(a) which states that "The owner shall ensure that the housing premises are free of insect and rodent infestations."
- c. There was mould growth on the tubsurround walls. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) which states that "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- d. There was water damage evident along the base of the wall in the furnace room. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) which states that "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- e. There were holes in the walls & ceilings throughout the suite from repair work or lack of an access panel for utility access requirements. This is in contravention of the Minimum Housing and Health Standards, Section 5 which states that "All walls, windows, ceilings, floors and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean."
- f. There was mould growth evident in the floor under the toilet and in the wallboard of the wall behind the toilet. This is in contravention of the Minimum Housing and Health Standards, Section 1(c) which states that "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- g. The water leaking to the ceiling, walls & windows must be repaired. All water damaged wallboard in ceilings & wall construction must be replaced. This is in

contravention of the Minimum Housing and Health Standards, Section 5 which states that "All walls, windows, ceilings, floors and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean."

- h. The toilet is loose at the base, is not secure and is leaking water. This is in contravention of the Minimum Housing and Health Standards, Section 6(c) which states that "All plumbing fixtures shall be serviceable, free of leaks, trapped and vented to the outside."
- i. The bathroom sink leaks water from the drain pipe to the interior of the vanity cupboard. This is in contravention of the Minimum Housing and Health Standards, Section 6(c) which states that "All plumbing fixtures shall be serviceable , free of leaks, trapped and vented to the outside."
- j. The new windows on the east side of the house are leaking water to the interior wall and window casement. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(i) which states that "All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof."
- k. The base of the east side foundation wall between the windows has water damage associated with drainage and/or window leaks. This is in contravention of the Minimum Housing and Health Standards, Section 1(b) which states that "Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation."
- l. The front door is poorly weatherproofed, as large gaps to the outdoors are present. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(i) which states that "All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof."

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 **4:00pm, on Monday, the 17th day of February, 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. An accredited pest control company must be retained to eliminate vermin & insects

from within all four (4) suites of this rental accommodation. This pest control firm must also block entry and remove harbourage for vermin or insects or provide direction & supervision of the owner/agent to complete this task.

- b. An accredited pest control company must be retained to eliminate vermin & insects from within all four (4) suites of this rental accommodation. This pest control firm must also block entry and remove harbourage for vermin or insects or provide direction & supervision of the owner/agent to complete this task.
- c. Water damaged wallboard supporting the tiled bathtub/shower surface needs to be replaced for 30cm up from the tub side lip, retiled and recaulked to seal surface.
- d. The base of the wall in the furnace room for 60cm up from the floor must be cut-out & removed. Substructure would need to be inspected by this office prior to repair and w/board replacement is undertaken.
- e. All openings in the ceilings & walls must be repaired to a smooth, cleanable surface or fitted with an access panel or similar construct to cover over or block in plumbing, etc. with a readily cleanable exposed surface.
- f. Remove toilet, check & replace wax toilet base gasket, if necessary, clean & dry water damaged plywood sub-flooring. Remount toilet on flange CORRECTLY so the fit is tight but the toilet rests on the floor surface and is not supported on the flange of the drain pipe only.
- g. Water leaks must be repaired from around stacks & pipes that exit the roof, from internal leaks associated with plumbing & drains and all sub-structure wood must be left for inspection by this office prior to closing in repairs. All water damaged wallboard in the walls/ceilings must be cut-out for 30cm past any visible water damage and retained for inspection/approval by this office prior to reconstruction to assure mould remediation.
- h. Remove toilet, check & replace wax toilet base gasket, if necessary, clean & dry water damaged plywood sub-flooring. Remount toilet on flange CORRECTLY so the fit is tight but the toilet rests on the floor surface and is not supported on the flange of the drain pipe only.
- i. Repair leak from drain pipe under the bathroom sink.
- j. Find and repair the source of the leaks in new east side windows. Drip rails and trim pieces installed on the new windows may be needed but a professional installer should be consulted.
- k. Add an extension to the downspout of the eavestrough that extends to a place where the natural slope is away from the foundation. Assure any cracks in the foundation wall are repaired and/or weeping tile or a sump pump is installed to alleviate water infiltration.
- l. Weatherproof the front door adequately so there are no gaps to the outdoors.

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 27th day of January, 2010.

Lew Skjonsby 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
Phone: 403-361-7200
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www.calgaryhealthregion.ca/envhealth