

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

**To:** Hussein Gaidhar  
Director of 1170350 Alberta Ltd.  
43 Whitefield Place NE  
Calgary, Alberta T1Y 5J9  
(the “**Owner**”)

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

Unit 3, 808 McNeill Road NE  
Calgary, Alberta

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

Unit 3, 808 McNeill Road NE  
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 LARGE HOLE IN THE WALL CLOSE TO THE STAIRS LEADING TO THE TOP FLOOR.
- b. NO REFRIGERATOR IS PROVIDED IN THE KITCHEN FOR THE TENANTS.
- c. KITCHEN SINK FAUCET LEAKS.
- d. THERE WAS INADEQUATE HEAT INSIDE THE UNIT. THE TEMPERATURE WAS APPROXIMATELY 11 DEGREES CELSIUS.
- e. NO HOT WATER IS AVAILABLE IN THE UNIT.
- f. THE BASEMENT BEDROOM WINDOW IS BROKEN.
- g. THE PATIO DOOR AND THE FRONT ENTRANCE DOOR ARE NOT WEATHERPROOF.
- h. THE BASEMENT BEDROOM WINDOW IS ONLY SINGLE PANE WITH NO STORM SASH.
- i. THERE ARE NO SCREENS OVER ANY OPENABLE WINDOWS IN THE UNIT.

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Re: Those premises located in Calgary, Alberta and municipally described as **Unit 3 808 McNeill Road NE, Calgary, Alberta**

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 LARGE HOLE IN THE WALL CLOSE TO THE STAIRS LEADING TO THE TOP FLOOR, CONTRAVENING SECTION 5 OF THE MINIMUM HOUSING AND HEALTH STANDARDS.
- b. NO REFRIGERATOR IS PROVIDED IN THE KITCHEN FOR THE TENANTS, CONTRAVENING SECTION 14 (a) (iv) & (d) OF THE MINIMUM HOUSING AND HEALTH STANDARDS.
- c. KITCHEN SINK FAUCET LEAKS, CONTRAVENING SECTION 14 (a) (i) OF THE MINIMUM HOUSING AND HEALTH STANDARDS.
- d. THERE WAS INADEQUATE HEAT INSIDE THE UNIT. THE TEMPERATURE WAS APPROXIMATELY 11 DEGREES CELSIUS, CONTRAVENING SECTION 8 (a) OF THE MINIMUM HOUSING AND HEALTH STANDARDS.
- e. NO HOT WATER IS AVAILABLE IN THE UNIT, CONTRAVENING SECTION 9 OF THE MINIMUM HOUSING AND HEALTH STANDARDS.
- f. THE BASEMENT BEDROOM WINDOW IS BROKEN, CONTRAVENING SECTION 2(b) OF THE MINIMUM HOUSING AND HEALTH STANDARDS.
- g. THE PATIO DOOR AND THE FRONT ENTRANCE DOOR ARE NOT WEATHERPROOF, CONTRAVENING SECTION 2(b) OF THE MINIMUM HOUSING AND HEALTH STANDARDS.
- h. THE BASEMENT BEDROOM WINDOW IS ONLY SINGLE PANE WITH NO STORM SASH, CONTRAVENING SECTION 2(b) OF THE MINIMUM HOUSING AND HEALTH STANDARDS.
- i. THERE ARE NO SCREENS OVER ANY OPENABLE WINDOWS IN THE UNIT, CONTRAVENING SECTION 2(b) OF THE MINIMUM HOUSING AND HEALTH STANDARDS.

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 12pm, on Tuesday, the 7<sup>th</sup> day of December, 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 THAT THE WALL CLOSE TO THE STAIRS LEADING TO THE UPSTAIRS IS IN GOOD REPAIR
  - b. PROVIDE A REFRIGERATOR FOR THE KITCHEN.
  - c. REPAIR THE KITCHEN FAUCET.
  - d. ENSURE THE FURNACE CAN MAINTAIN AT LEAST 22 DEGREES CELSIUS.
  - e. ENSURE THE UNIT HAS HOT AND COLD RUNNING WATER AT ADEQUATE

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- PRESSURE.
- f. REGLAZE THE BASEMENT BEDROOM WINDOWS.
  - g. INSTALL WEATHERSTRIPPING AROUND THE ENTRANCE AND THE PATIO DOOR. ENSURE BOTH THE PATIO DOOR AND THE ENTRANCE ARE WEATHERPROOF.
  - h. REPLACE THE BASEMENT BEDROOMS WINDOWS WITH DUAL PANE WINDOWS OR INSTALL A STORM SASH.
  - i. INSTALL SCREENS OVER ALL OPENABLE WINDOWS IN THE UNIT.
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 13<sup>th</sup> day of December, 2010. This confirms the verbal order issued on December 07, 2010 to Hussein Gaidhar.

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Luke Lee  
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, 24<sup>th</sup> 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.***

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**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  
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Banff, AB T1L 1B3  
Phone: 403-762-2992  
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  
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**Claresholm**  
Claresholm Public Health  
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Phone: 403-625-4061  
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**Didsbury**  
Didsbury Health Unit  
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1210 -20th Avenue  
Didsbury, AB T0M 0W0  
Phone: 403-335-7292  
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**Okotoks**  
Okotoks Public Health Centre  
11 Cimarron Commons  
Okotoks, AB T1S 2E9  
Phone: 403-995-2600  
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**Strathmore**  
Public Health Building  
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Strathmore, AB T1P 1H8  
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