

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

To: **Yongoh Shin and Junghyun Shin**
52 Springbluff Lane SW
Calgary, Alberta T3H 5R5
(the “**Owner**”)

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

Lower Suite 4403-15 Avenue SW
Calgary, Alberta T3C 0Z2

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

Lower Suite 4403-15 Avenue 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 an open cut out hole in the living room ceiling.
- b. There is no power available throughout different areas of the suite including the living room, bedrooms, kitchen and laundry room.
- c. There are several electrical sockets throughout the suite with missing face plates.
- d. There is an electrical socket which is very loose from the wall and is removable.
- e. The window in bedroom one is not fully openable for emergency egress.
- f. There is mould along the edges of the both bedroom baseboards.
- g. The floor is soaked around the base of the toilet; a high level of moisture was detected and measured.
- h. There is no ventilation system in place in the bathroom.
- i. There is mould evident on along the seal of the tiles and bathtub.
- j. The kitchen floor around the fridge is very damp.
- k. The fridge is leaking causing water to pool on the floor.
- l. Two of the elements on the stove do not work.
- m. There is a hole in the wall behind the stove.
- n. There is mould evident in the lower kitchen cupboards.
- o. The kitchen counter is worn with exposed wood.
- p. There are holes in the wall and ceiling of the laundry room.
- q. There is pooling water on the floor around the laundry machines.
- r. The wall and ceiling materials in the laundry room are wet.

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- s. The washing machine is spraying water in very close proximity to open wiring and circuit box in the laundry room.
- t. The dryer vent exhaust piping appears to be filled with lint and improper exhausting is evident.
- u. There are combustible materials evident around the furnace.
- v. There are no window screens in the entire suite except for the dining area window.
- w. The window screen in the dining area is ripped.
- x. The kitchen floors are worn and damaged.
- y. The smoke alarm is non operational.
- z. There is no handrail leading to the upper suite from the laundry room.

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 an open cut out hole in the living room ceiling. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- b. There is no power available on throughout different areas of the suite including the living room, bedrooms, kitchen and laundry room. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- c. There are several electrical sockets throughout the suite with missing face plates. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- d. There is an electrical socket which is very loose from the wall and is removable. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- e. The window in the bedroom one is not fully openable for emergency egress. This is in contravention of the Minimum Housing and Health Standards, Section 3 (b).
- f. There is mould along the edges of both bedroom baseboards. This is in contravention of the Minimum Housing and Health Standards, Section 1 (c).
- g. The floor is soaked around the base of the toilet; a high level of moisture was detected and measured. This is in contravention of the Minimum Housing and Health Standards, Sections 6 (a) and (c).
- h. There is no ventilation system in place in the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 7 (c).
- i. There is mould evident on along the seal of the tiles and bathtub. This is in contravention of the Minimum Housing and Health Standards, Section 1(c).
- j. The kitchen floor around the fridge is very damp. This is in contravention of the Minimum Housing and Health Standards, Section 1 (c).
- k. The fridge is leaking causing water to pool on the floor. This is in contravention of the Minimum Housing and Health Standards, Section 14 (a)(iv).
- l. Two of the elements on the stove do not work. This is in contravention of the Minimum Housing and Health Standards, Section 14 (a)(iv).
- m. There is a hole in the wall behind the stove. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- n. There is mould evident in the lower kitchen cupboards. This is in contravention of the Minimum Housing and Health Standards, Section 1 (c).
- o. The kitchen counter is worn and exposed wood is evident. This is in contravention of the Minimum Housing and Health Standards, Section 1 (c).
- p. There are holes in the wall and ceiling of the laundry room. This is in contravention

- of the Minimum Housing and Health Standards, Section 14 (a)(iii).
- q. There is pooling water on the floor around the laundry machines. This is in contravention of the Minimum Housing and Health Standards, Section 1 (c).
 - r. The wall and ceiling materials in the laundry room are wet. This is in contravention of the Minimum Housing and Health Standards, Section 1 (c).
 - s. The washing machine is spraying water in very close proximity to open wiring and circuit box in the laundry room. This is in contravention of the Housing Regulation 5 (2).
 - t. The dryer vent exhaust piping appears to be filled with lint and improper exhausting is evident. This is in contravention of the Minimum Housing and Health Standards, Section 6 (a).
 - u. There are combustible materials evident around the furnace. This is in contravention of the Housing Regulation 5 (2).
 - v. There are no window screens all windows except for one. This is in contravention of the Minimum Housing and Health Standards, Section 2 (b) (iii).
 - w. The window screen in the dining area is ripped. This is in contravention of the Minimum Housing and Health Standards, Section 2 (b) (iii).
 - x. The kitchen floors are worn and damaged. This is in contravention of the Minimum Housing and Health Standards, Section 5.
 - y. The smoke alarm is non operational. This is in contravention of the Minimum Housing and Health Standards, Section 12.
 - z. There is no handrail leading to the upper suite from the laundry room. This is in contravention of the Minimum Housing and Health Standards, Section 3 (c).

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 12:00 PM, on Monday, the 31st day of May, 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. Repair the cut out in the living room ceiling.
 - b. Restore power to all areas of the suite.
 - c. Replace all missing or damaged electrical socket face plates.
 - d. Repair the electrical socket in the bedroom.
 - e. Replace or modify the bedroom window such that it meets the openable area requirements of the Minimum Housing and Health Standards, Section 3 (b)(i).
 - f. Remove any mould and water damaged materials from the baseboards in both bedrooms in the basement. Do not close this area until approval to proceed further

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- has been granted by an Executive Officer.
- g. Remove the flooring in the bathroom, assess the sub floor for water damage and remove any water damaged materials. Do not resurface this area until approval to proceed further has been granted by an Executive Officer.
 - h. Install a functioning ventilation system in the bathroom.
 - i. Remove any mould and water damaged materials from the tub area, including the tiles and seals in the bathroom. Replace it with a suitable material and refinish the affected area.
 - j. Remove the kitchen flooring, assess the sub floor for water damage and remove any mould and water damaged materials. Do not close this area until approval to proceed further has been granted by an Executive Officer.
 - k. Repair or replace the fridge.
 - l. Repair or replace the stove.
 - m. Repair the hole in the wall behind the stove.
 - n. Remove any mould and water damaged materials from the kitchen cabinets. Do not close this area until approval to proceed further has been granted by an Executive Officer.
 - o. Replace the kitchen counter.
 - p. Repair the holes in the ceiling and walls in the laundry room.
 - q. Repair the water leak from the laundry machine. Remove any mould and water damaged materials from the laundry room floor. Do not close this area until approval to proceed further has been granted by an Executive Officer.
 - r. Remove any mould or water damaged materials from the walls and ceiling of the laundry room. Do not close this area until approval to proceed further has been granted by an Executive Officer.
 - s. Enclose the open wiring and circuit box in the laundry room. Repair the water leak from the washing machine.
 - t. Repair or replace the dryer vent exhaust system to ensure that it is vented to the outside and that it is cleaned out on a regular basis to prevent blockage.
 - u. Remove all combustible materials around the furnace.
 - v. Install window screens on all windows.
 - w. Repair or replace the torn window screen in the dining area.
 - x. Replace the torn and worn kitchen floors.
 - y. Repair or replace the smoke detector.
 - z. Install a structurally sound handrail leading up to the upper suite from the laundry room, which is in compliance with the Alberta Building Code.
 - aa. Investigate and determine the sources of the extreme moisture evident in the lower suite. Provide all supporting documentation from this investigation to this office.
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**.

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Re: Those premises located in Calgary, Alberta and municipally described as **Lower Suite 4403-15 Avenue SW
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Dated at Calgary, Alberta, this 12th day of May, 2010.

Written order confirms the verbal order issued to John Shin by phone on May 11, 2010.

Salima Kassam
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
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Fax: 403-678-5068

Claresholm

Claresholm Public Health
5221 2nd Street W
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Claresholm, AB T0L 0T0
Phone: 403-625-4061
Fax: 403-625-4062

Didsbury

Didsbury Health Unit
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Phone: 403-335-7292
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Okotoks

Okotoks Public Health Centre
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Strathmore

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www.calgaryhealthregion.ca/envhealth