

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

**To:**           **The City of Calgary**  
**C/O Calgary Housing Company**  
**Box 2100, Station M**  
**Calgary, Alberta T2P 2M5**  
**(the “Owner”)**

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

Unit 504 – 907 Barberry Walk SW  
Calgary, Alberta

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

Unit 504 – 907 Barberry Walk 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. Floors, walls and ceilings in living room, kitchen, dining room, bathroom, and hallway are water laden.
- b. Conditions that support mould growth are evident within the premises. Excess humidity and water behind drywall and under flooring are suitable conditions for mould growth.
- c. Due to age of building it is suspected that asbestos is present in the plaster joint compound of walls and ceilings.

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. Floors, walls and ceilings in living room, kitchen, dining room, bathroom, and hallway are water laden. This is a contravention of Section 1, and 5, in the Minimum Housing and Health Standards.
- b. Conditions that support mould growth are evident within the premises. Excess humidity and water behind drywall and under flooring are suitable conditions for mould growth. This is a contravention of Section 2(1) of the Nuisance and General

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- c. Sanitation Regulation and Sections 3, 4 and 5, of the Housing Regulation.  
Due to age of building it is suspected that asbestos is present in the plaster joint compound of walls and ceilings. This is a contravention of Section 5(2), of the Alberta Housing Regulation.

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. The above noted premises be **vacated immediately** and remain vacant until the Executive Officer's Order is rescinded.
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. Retain the services of a restoration and mould remediation specialist, approved by Alberta Health Services, to remove and replace or clean, as required, any and all drywall, building materials, and finishing materials, or any other item that is or may be water damaged, infested with or damaged by mould or bacteria. Intrusive testing may be necessary to determine extent of water infiltration and damage. Note that a health inspection is required prior to covering any repair or investigation sites. (Reference should be made to Mould Guidelines for the Canadian Construction Industry located at [www.cca-acc.com/mould/](http://www.cca-acc.com/mould/).)
  - b. Ensure that general renovation work, including painting, reinstallation of drywall and laying of new flooring and/or sub flooring is completed to the satisfaction of Alberta Health Services.
  - c. Asbestos presence or absence must be assessed and determined to the satisfaction of the Executive Officer. Asbestos abatement must be conducted in accordance with all applicable Alberta provincial legislation.
4. That, until such time as the work referred to in paragraph 2 and 3 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 29<sup>th</sup> day of November, 2010. Verbal order issued on November 24, 2010 during inspection of unit to Nicole Talleico, Resident Manager.

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Heather A Langemann, CPHI(C)  
Executive Officer, Public Health Inspector  
Alberta Health Services

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**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  
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 2<sup>nd</sup> 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  
Fax: 403-361-7244

[www.calgaryhealthregion.ca/envhealth](http://www.calgaryhealthregion.ca/envhealth)