

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
 (bthe “**Owner**”)

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

 Unit 605 – 907 Barberry Walk SW
 Calgary, Alberta

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

 Unit 605 – 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, and bathroom 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, and bathroom 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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Re: Premises located in Calgary, Alberta and municipally described as **605-907 Barberry Walk SW**

- 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/.)
 - 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 29th day of November, 2010. Verbal order issued on November 24, 2010 during inspection of unit to Nicole Talleico, Resident Manager.

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, 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
Fax: 403-361-7244

www.calgaryhealthregion.ca/envhealth