

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

To: Edward Lau
7904 Rancho Drive NW
Calgary, Alberta T3G 1C1
(the “**Owner**”)

Janey Lau
7904 Rancho Drive NW
Calgary, Alberta T3G 1C1
(the “**Owner**”)

Edward Lau
10185 Hamptons BV NW
Calgary, Alberta T3A 5A9
(the “**Owner**”)

Janey Lau
10185 Hamptons BV NW
Calgary, Alberta T3A 5A9
(the “**Owner**”)

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

Unit B – 434 Meredith Road NE
Calgary, Alberta

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

Unit B – 434 Meredith 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. Smoke detector in hallway is not operational.
- b. There are exposed wires in far bathroom.
- c. There is no ventilation in the two bathrooms.
- d. The bedroom windows do not meet the minimum size requirements for emergency

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Re: All Occupants (the "Occupants") of those premises located in Calgary, Alberta and municipally described as 434 Meredith Rd NE

- egress, as follows; the first bedroom (by door) window opening area measures 8.25 x 23 inches, the second (large) bedroom window opening area measures 13.5 x 31 inches, the far small bedroom window opening area measures 12 x 21 inches.
- e. The first bedroom (by door) has a window that does not have a locking mechanism.
 - f. There is evidence of significant mice infestation throughout suite, poor maintenance and construction which enables mice to travel throughout unit.
 - g. There is peeling plaster in the bathroom (near kitchen).
 - h. The front door is not weatherproof.
 - i. The front entry window is single pane and not weatherproof.
 - j. The room being used as a TV/family room has a window that is single pane and not weatherproof.
 - k. The second (large) bedroom window does not have a screen.

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. Smoke detector in hallway is not operational. This is in contravention of Section 12 of the Minimum Housing and Health Standards.
- b. There are exposed wires in far bathroom. This is in contravention of Section 11 of the Minimum Housing and Health Standards.
- c. There is no ventilation in the two bathrooms. This is in contravention of Section 7(c) of the Minimum Housing and Health Standards.
- d. The bedroom windows do not meet the minimum size requirements for emergency egress, as follows; the first bedroom (by door) window opening area measures 8.25 x 23 inches, the second (large) bedroom window opening area measures 13.5 x 31 inches, the far small bedroom window opening area measures 12 x 21 inches. This is in contravention of Section 3(b) of the Minimum Housing and Health Standards.
- e. The first bedroom (by door) has a window that does not have a locking mechanism. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards.
- f. There is evidence of significant mice infestation throughout suite. Poor maintenance and construction enables mice to travel throughout unit. This is in contravention of Section 16 of the Minimum Housing and Health Standards.
- g. There is peeling plaster in the bathroom (near kitchen). This is in contravention of Section 5 of the Minimum Housing and Health Standards.
- h. The front door is not weatherproof. This is in contravention of Section 2(b) of the Minimum Housing and Health Standards.
- i. The front entry window is single pane and not weatherproof. This is in contravention of Section 2(b) of the Minimum Housing and Health Standards.
- j. The room being used as a TV/family room has a window that is single pane and not weatherproof. This is in contravention of Section 2(b) of the Minimum Housing and Health Standards.
- k. The second (large) bedroom window does not have a screen. This is in contravention of Section 2(b) of the Minimum Housing and Health Standards.

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Re: All Occupants (the “**Occupants**”) of those premises located in Calgary, Alberta and municipally described as
434 Meredith Rd NE

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 11:00 AM, on Thursday, the 01 day of April, 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. Smoke detectors must be operational within 1 week of this notice.
 - b. All electrical outlets and lighting must be operational, where work is completed by a certified electrician, receipts from electrician may be requested.
 - c. All bathrooms must have mechanical ventilation or an openable window.
 - d. All windows in sleeping rooms must be modified or replaced to meet Section 3(b) of the Minimum Housing and Health Standards.
 - e. All windows to the exterior must have windows that are capable of being secured.
 - f. All finishes in suite must be free of holes, and plaster must be repaired where there are cracks or peeling. Interior of cupboards and furnace room must be sealed around pipes/electrical wires and have no access holes for mice to move about.
 - g. Pest control for mice infestation must be applied by a certified pest control operator. Receipts may be required from the pest control company. Numerous applications may be necessary.
 - h. The front door must have weather-stripping that prevents cold air entry into suite.
 - i. All single-pane windows must be replaced or altered to have a storm sash, double glazing, or other durable thermal/air resistant barrier as required under the standards.
 - j. All openable windows must have fitted and removable screens to protect from flying insects.
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 25th day of February, 2010. This confirms the verbal order issued to Edward and Janey Lau, as per voicemail message on January 25th, 2010.

Heather A Langemann
Executive Officer
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
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www.calgaryhealthregion.ca/envhealth