

**ORDER OF AN EXECUTIVE OFFICER
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE**

To: CIDEX Developments Ltd.
c/o Abed Itani
(the “owner”)

CIDEX Developments Ltd.
c/o Chuck Swaidan
(the “service manager”)

And To: All Occupant(s) of the following Housing premises:

#10 1006 12 Avenue SW, Calgary, AB

RE: Those housing premises located in Calgary, Alberta and municipally described as:
#10 1006 12 Avenue SW

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above 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 no openable window in the suite.
- b. The main front window frame is completely rotten and deteriorated, is missing a storm pane and has no insect screen.
- c. Mouse droppings were found throughout the entire unit.
- d. There is no smoke alarm in the unit.
- e. There is a leak from the kitchen faucet.
- f. There is a bad leak from the bathtub/shower. Whenever the water is turned on, it leaks into the basement below.
- g. The bathtub is completely unsanitary and unfinished.
- h. The cupboard under the kitchen sink is in serious disrepair. Mould growth is evident.
- i. The kitchen countertops were in disrepair.
- j. Walls and ceilings throughout the unit were cracked, filthy, and in general disrepair.
- k. Many electrical outlets are not fitted with plate covers.

AND WHEREAS such inspection disclosed that the following breaches of the **Public Health Act** and the **Housing Regulation, Alberta Regulation 173/99**, and the **Minimum Housing and Health Standards** exist in and about the above noted premises, namely:

- a. There is no openable window in the suite. This is in contravention of the Minimum Housing and Health Standards, Section 3b.
- b. The main front window frame is completely rotten and deteriorated, is missing a storm pane and has no insect screen. This is in contravention of the Minimum Housing and Health Standards, Section 2b.
- c. Mouse droppings were found throughout the entire unit. This is in contravention of the Minimum Housing and Health Standards, Section 16a.
- d. There is no smoke alarm in the unit. This is in contravention of the Minimum Housing and Health Standards, Section 12.
- e. There is a leak from the kitchen faucet. This is in contravention of the Minimum Housing and Health Standards, Section 6c.
- f. There is a bad leak from the bathtub/shower. Whenever the water is turned on, it leaks into the basement below. This is in contravention of the Minimum Housing and Health Standards, Sections 5 and 6c.
- g. The bathtub is completely unsanitary and unfinished. This is in contravention of the Minimum Housing and Health Standards, Section 7.
- h. The cupboard under the kitchen sink is in serious disrepair. Mould growth is evident. This is in contravention of the Minimum Housing and Health Standards, Sections 5a and 14a(ii).
- i. The kitchen countertops were in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 14a(iii).
- j. Walls and ceilings throughout the unit were cracked, filthy, and in general disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- k. Many outlets are not fitted with plate covers. This is in contravention of the Minimum Housing and Health Standards, Section 11.

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**:

- a. That the occupants vacate the above noted premises on or before August 24, 2011.
- b. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. The existing window and window frame must be removed and disposed of.
 - b. Install a window that meets the Minimum Housing and Health Standards. The openable area of the window must be large enough to meet egress requirements, it shall be fitted with a storm pane, shall be fitted with an insect screen and be capable of staying open on its own.
 - c. Rid the unit of the mouse infestation.
 - d. Install a functioning smoke alarm.
 - e. Repair all plumbing leaks.
 - f. Repair or replace the bathtub.
 - g. Repair or replace all damaged kitchen cupboards and counters.
 - h. Repair or replace all damaged building materials. Cut out any water damaged areas and replace with new materials.
 - i. Ensure all outlets are fitted with plate covers.

- c. That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted premises shall remain vacant and secure from unauthorized entry.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at Calgary, Alberta, August 26, 2011.

Daria Romanish, CPHI(C)
Executive Officer
Environmental Health Officer

YOU HAVE THE RIGHT TO APPEAL

A person who a) is directly affected by a decision of a Regional Health Authority, and
b) feels himself aggrieved by the decision

may appeal the decision within ten (10) days after receiving the order to the Public Health Appeal Board located at 24th Floor, Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta, T5J 1S6. Telephone (780) 427-2813.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at (780) 342-0122, or the Public Health Appeal Board (780) 427-2813.

You are advised that all orders remain in effect pending such an appeal

HEALTH LEGISLATION, REGULATIONS AND STANDARDS

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7) or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health & Wellness at (780) 427-4518, or by visiting: www.health.alberta.ca/about/health-legislation.html

ORDER OF AN EXECUTIVE OFFICER – UNFIT FOR HUMAN HABITATION, ORDER TO VACATE

Re: Those premises located in Calgary, Alberta and municipally described as #10 1006 12 Avenue SW, Alberta

Confirmation of an oral order issued to **Chuck Swaidan**, at **4:00pm on Tuesday August 23, 2011**.

Copy Abed Itani of CIDEX Developments

Copy Chuck Swaidan of CIDEX Developments

AIRDRIE Regional Health Centre

604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
Fax: 403-912-8410

BANFF Health Unit

303 Lynx Street
PO Box 1266
Banff, AB T1L 1B3
Phone: 403-762-2990
Fax: 403-762-5570

CALGARY - Southport Atrium

10101 Southport Road SW
Calgary, AB T2W 3N2
Phone: 403-943-2288
Fax: 403-943-8056

CANMORE Public Health

#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
Fax: 403-678-5068

CLARESHOLM Public Health

5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403 625-4061
Fax: 403-625-4062

**COCHRANE Community Health
Centre**

60 Grande Boulevard
Cochrane, AB T4C 0S4
Phone: 403-851-6000
Fax: 403- 851-6009

**OKOTOKS Health and Wellness
Centre**

11 Cimarron Common
Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

**STRATHMORE Public Health
Office**

650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244

www.albertahealthservices.ca/eph.asp