

**ORDER OF AN EXECUTIVE OFFICER
CLOSED FOR TENANT ACCOMMODATION PURPOSES
ORDER TO VACATE**

To: 722413 Alberta Ltd.
(the "Owner")

Salim Dhanji
(the "Owner")

Deepak Ruparell
(the "Owner")

Ahmed Rafaqat
(the "Manager")

And To: All Occupant(s) of the following Housing premises:
Room 112, 2373 Banff Trail NW, Calgary Alberta

RE: Those housing premises located in Calgary, Alberta and municipally described as:
Savory Lodge Room 112, 2373 Banff Trail NW

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. The ceiling in the bathroom is badly water damaged and in disrepair. The ceiling has a large hole, it is bowed and plaster is falling down.
- b. There is mould growth on the wall under the bathroom sink area.
- c. Dozens of mouse droppings were observed on the bed, directly beneath the bedspread and along the edges of the boxspring.
- d. The bathroom ventilation fan is not drawing sufficient air.
- e. The bathroom tiles and bathtub surround are in disrepair. The tiles are loose and there are chunks of missing grout. Water infiltration and mould is suspected.
- f. The bathroom hand sink is chipped and in disrepair.
- g. The baseboards are falling off.
- h. There are cracked light switch plates.
- i. The room interior surfaces are filthy, with visible stains and smears.
- j. An insect screen is damaged on the front window.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, Nuisance and General Sanitation Regulation, Alberta

Regulation 243/2003, and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. The ceiling in the bathroom is badly water damaged and in disrepair. The ceiling has a large hole, it is bowed and plaster is falling down. This is in contravention of the Minimum Housing and Health Standards, Sections 2(a) and 5(a).
- b. There is mould growth on the wall under the bathroom sink area. This is in contravention of the Minimum Housing and Health Standards, Sections 1(c) and 5(a).
- c. Dozens of mouse droppings were observed on the bed, directly beneath the bedspread and along the edges of the boxspring. This is in contravention of the Minimum Housing and Health Standards, Section 16(a).
- d. The bathroom ventilation fan is not drawing sufficient air. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).
- e. The bathroom tiles and bathtub surround are in disrepair. The tiles are loose and there are chunks of missing grout. Water infiltration and mould is suspected. This is in contravention of the Minimum Housing and Health Standards, Sections 2(a) and 5(a).
- f. The bathroom hand sink is chipped and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 1.
- g. The baseboards are falling off. This is in contravention of the Minimum Housing and Health Standards, Section 1.
- h. There are cracked light switch plates. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- i. The room interior surfaces are filthy, with visible stains and smears. This is in contravention of the Nuisance and General Sanitation Regulation, Section 2(1).
- j. An insect screen is damaged on the front window. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(iii).

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 the occupants vacate the above noted premises immediately.
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Repair the source of the leak in the bathroom.
 - b. Cut out all water damaged sections of wall, ceiling and bathtub surround. Leave these areas open for inspection by an Alberta Health Services Executive Officer prior to patching.
 - c. Replace bathroom fan or repair the motor.
 - d. Replace the bathroom sink.
 - e. Rid the room, and the entire complex of the mouse infestation. Invoices of professional pest control services provided must be sent to the Alberta Health Services Environmental Health Department.
 - f. Discard and replace the contaminated mattress and box spring with new.
 - g. Replace the baseboards where they have been removed or fallen off.
 - h. Replace the broken light switch plates with new switch plates.

- i. Ensure all surfaces, including, but not limited to, the floors, walls, ceilings, floor coverings and tub surround are in good repair.
 - j. Clean and sanitize all surfaces throughout the room.
 - k. Provide an insect screen in good repair over all openable windows.
3. 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 closed for tenant accommodation purposes.

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, September 22, 2011

Heather A Langemann, 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

Confirmation of an oral order issued to Ahmed Rafaqat, at September 16, 2011.

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
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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
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STRATHMORE Public Health Office

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Strathmore, AB T1P 1H8
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www.albertahealthservices.ca/eph.asp