

## ORDER OF AN EXECUTIVE OFFICER UNFIT FOR HUMAN HABITATION

**To:** Wayne Leong  
(the “owner”)

**And To:** Kent Leong  
(the “owner”)

**And To:** Christopher Zaharko  
(the “manager”)

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

1507 6 Street SW  
Calgary Alberta  
T2T 1C9

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

1507 6 Street SW  
Calgary Alberta  
T2T 1C9

**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. No heat in the house, temperature within the house was 4°C (outdoor temperature 3°C).
- b. No hot and cold running water.
- c. Both upstairs and main floor toilet cannot be used. Water was frozen in tank of toilet.
- d. Back entrance door has no weather stripping and is not weatherproof.
- e. Stairs leading to the basement have no handrail.
- f. Broken glass on kitchen and living room windows.
- g. Outer pane of the south bedroom window cannot be fully opened and does not stay open on its own to meet egress requirements.
- h. Smoke alarm not operational.
- i. The living room, bedroom, and basement are cluttered with furniture, boxes, bags, and other personal items.
- j. No insect screens on all openable areas of windows in the house.

**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. No heat in the house, temperature within the house was 4°C (outdoor temperature 3°C). This is in contravention of the Minimum Housing and Health Standards, specifically section 8.
- b. No hot and cold running water. This is in contravention of the Minimum Housing and Health Standards, specifically section 9.
- c. Both upstairs and main floor toilet cannot be used. Water was frozen in tank of toilet. This is in contravention of the Minimum Housing and Health Standards, specifically section (7).
- d. Back entrance door has no weather stripping and is not weatherproof. This is in contravention of the Minimum Housing and Health Standards, specifically section 2(b).
- e. Stairs leading to the basement have no handrail. This is in contravention of the Minimum Housing and Health Standards, specifically section 3(c).
- f. Broken glass on kitchen and living room windows. This is in contravention of the Minimum Housing and Health Standards, specifically section 2(b)
- g. Outer pane of the south bedroom window cannot be fully opened and does not stay open on its own to meet egress requirements. This is in contravention of the Minimum Housing and Health Standards, specifically section 3(b)
- h. Smoke alarm not operational. This is in contravention of the Minimum Housing and Health Standards, specifically section 12.
- i. The living room, bedroom, and basement are cluttered with furniture, boxes, bags, and other personal items. This is in contravention of the Housing Regulation, specifically Section 5(2).
- j. No insect screens on all openable areas of windows in the house. This is in contravention of the Minimum Housing and Health Standards, specifically section 2(b) (iii).

**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 immediately.
- b. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Provide the house with adequate heat that meets the requirements of the Minimum Housing and Health Standards.
  - b. Provide the house with hot and cold running water.
  - c. Ensure that the toilets in the house are functioning properly and are in good repair.
  - d. Install a weather stripping on the back entrance door and ensure that the back entrance door is weatherproof.
  - e. Install a handrail on stairs leading to the basement.

- f. Replace all broken glass on kitchen and living room windows.
- g. In the south bedroom, ensure that the outer pane window opens and stays open so that it meets all requirements of Section 3 of the Minimum Housing and Health Standards.
- h. Install a smoke alarm close to all bedrooms that is operational at all times.
- i. Remove all major clutter in living room, bedroom and basement and ensure that the house is properly cleaned.
- j. Ensure that screens are installed in all openable area of windows during the portions of the year when there is a need for protection against flies and other flying insects.

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, the 25<sup>th</sup> day of November, 2011

**Ayuk Eyong** , 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 24<sup>th</sup> 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](http://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](http://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](http://www.health.alberta.ca/about/health-legislation.html)*

Confirmation of an oral order issued to Christopher, on November 23<sup>th</sup>, 2011.

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**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  
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**CANMORE Public Health**  
#104, 800 Railway Avenue  
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Phone: 403-678-5656  
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**CLARESHOLM Public Health**  
5221 2<sup>nd</sup> Street W  
PO Box 1391  
Claresholm, AB T0L 0T0  
Phone: 403 625-4061  
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**COCHRANE Community Health Centre**  
60 Grande Boulevard  
Cochrane, AB T4C 0S4  
Phone: 403-851-6000  
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**OKOTOKS Health and Wellness Centre**  
11 Cimarron Common  
Okotoks, AB T1S 2E9  
Phone: 403-995-2600  
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**STRATHMORE Public Health Office**  
650 Westchester Road  
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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)