

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

**To:**            **Shawn Ellerington  
(the “Owner”)**

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

**Basement Suite**  
225 Pinemill Mews NE  
Calgary Alberta  
T1Y 2E3

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

**Basement Suite**  
225 Pinemill Mews NE  
Calgary Alberta  
T1Y 2E3

**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 openable area of the south bedroom window in the basement is too small for egress (14 x 37 inches).
- b) A metal grate is installed on the outside of the south bedroom window that is blocking egress in case of emergency.
- c) The south bedroom window well is not large enough to provide egress in case of emergency.
- d) The openable area of east bedroom window in the basement is too small for egress (14 x 37 inches).
- e) A metal grate is installed on the outside of the east bedroom window that is blocking egress in case of emergency.
- f) The east bedroom window well is not large enough to provide egress in case of emergency.
- g) The openable area of the west bedroom window in the basement is too small for egress (14 x 37 inches).
- h) West bedroom window cannot be used for egress because of a large low deck that has been installed over the outside of the window.
- i) There is no smoke alarm installed.
- j) Basement bedrooms and bathroom ceilings are water damaged and in disrepair.

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. The openable area of the south bedroom window in the basement is too small for egress (14 x 37 inches). This is in contravention of Section 3, in the Minimum Housing and Health Standards.
- b. A metal grate is installed on the outside of the south bedroom window that is blocking egress in case of emergency. This is in contravention of Section 3, in the Minimum Housing and Health Standards.
- c. The south bedroom window well is not large enough to provide egress in case of emergency. This is in contravention of Section 3, in the Minimum Housing and Health Standards.
- d. The openable area of east bedroom window in the basement is too small for egress (14 x 37 inches). This is in contravention of Section 3, in the Minimum Housing and Health Standards.
- e. A metal grate is installed on the outside of the east bedroom window that is blocking egress in case of emergency. This is in contravention of Section 3, in the Minimum Housing and Health Standards.
- f. The east bedroom window well is not large enough to provide egress in case of emergency. This is in contravention of Section 3, in the Minimum Housing and Health Standards.
- g. The openable area of the west bedroom window in the basement is too small for egress (14 x 37 inches). This is in contravention of Section 3, in the Minimum Housing and Health Standards.
- h. West bedroom window cannot be used for egress because of a large deck that has been installed on the outside of the window. This is in contravention of Section 5(2) of the Housing Regulation.
- i. There is no smoke alarm installed. This is in contravention of Section 12, in the Minimum Housing and Health Standards.
- j. Basement bedrooms and bathroom ceilings are water damaged and in disrepair. This is in contravention of Section 1 and 5, in the Minimum Housing and Health Standards.

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 owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a) Replace the south bedroom window so that it meets all requirements of section 3 of the Minimum Housing and Health Standards.
  - b) Remove the metal grate on the outside of the south bedroom window to provide enough opening for egress in case of emergency.
  - c) Enlarge the south bedroom window well to provide enough opening for egress, to the satisfaction of the Executive Officer.

- d) Replace the east bedroom window so that it meets all requirements of section 3 of the minimum housing and health standards.
- e) Remove the metal grate on the outside of the east bedroom window to provide enough opening for egress in case of emergency.
- f) Enlarge the east bedroom window well to provide enough opening for egress, to the satisfaction of the Executive Officer.
- g) Replace the west bedroom window so that it meets all requirements of section 3 of the Minimum Housing and Health Standards.
- h) Remove the deck installed on the outside of the west bedroom window, to provide egress in case of emergency
- i) Install a smoke alarm near the bedrooms in the basement.
- j) Identify and correct all sources of moisture that is causing water damage throughout the bedrooms and bathroom ceilings.
- k) Cut out all water damaged and or mouldy material. Do not close up these areas until reinspected by an Executive officer

2. 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, October 17<sup>th</sup>, 2011.

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Ayuk Eyong, CPHI(C)  
Executive Officer  
Alberta Health Services

**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)*

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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  
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 2<sup>nd</sup> 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  
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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)