

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

**To: John Kelly  
(the "Owner")**

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

**Basement Suite**

**2412 37 Street SW**

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

**Basement Suite**

**2412 37 Street 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. The storage room, living room, and bedroom are very cluttered with furniture, boxes, bags, and other personal items.
- b. The kitchen sink is installed in front of an electric panel.
- c. The stove has non-functioning burners.
- d. The electrical line has been spliced to the furnace and appears dangerously done. The line is running over the uncovered furnace, where heat would be very high.
- e. The hopper style main bedroom window does not provide acceptable emergency egress.
- f. The second bedroom window could not be assessed due to the clutter.
- g. There is no smoke alarm in the unit.
- h. Mouse droppings were found under the kitchen sink.
- i. There was no handrail leading into the basement suite.
- j. The mechanical fan in the washroom was not working properly.
- k. The shower head water line was leaking in the bathtub.
- l. There was no window screen in the main bedroom.
- m. The dryer was not properly vented to the outside.
- n. The water line for clothes washing machine was leaking.

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 storage room, living room, and bedroom are very cluttered with furniture, boxes, bags, and other personal items. This is in contravention of Section 5(2), in the Housing Regulation.
- b. The kitchen sink is installed in front of an electric panel. This is in contravention of Section 5(2), in the Housing Regulation.
- c. The stove has non-functioning burners. This is in contravention of Section 14, in the Minimum Housing and Health Standards.
- d. The electrical line has been spliced to the furnace and appears dangerously done. The line is running over the uncovered furnace, where heat would be very high. This is in contravention of Section 2 and 8, in the Minimum Housing and Health Standards.
- e. The hopper style main bedroom window does not provide acceptable emergency egress. This is in contravention of Section 3, in the Minimum Housing and Health Standards.
- f. The second bedroom window could not be assessed due to the clutter. This is in contravention of Section 5(2), in the Housing Regulation.
- g. There is no smoke alarm in the unit. This is in contravention of Section 12, in the Minimum Housing and Health Standards.
- h. Mouse droppings were found under the kitchen sink. This is in contravention of Section 16, in the Minimum Housing and Health Standards.
- i. There was no handrail leading into the basement suite. This is in contravention of Section 3, in the Minimum Housing and Health Standards.
- j. The mechanical fan in the washroom was not working properly. This is in contravention of Section 7, in the Minimum Housing and Health Standards.
- k. The shower head water line was leaking in the bathtub. This is in contravention of Section 6, in the Minimum Housing and Health Standards.
- l. There was no window screen in the main bedroom. This is in contravention of Section 2, in the Minimum Housing and Health Standards.
- m. The dryer was not properly vented to the outside. This is in contravention of Section 5(2), in the Housing Regulation.
- n. The water line for clothes washing machine was leaking. This is in contravention of Section 6, 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 occupants vacate the above noted premises on or before August 31, 2011
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Removal of major clutter in storage area, living room, and bedroom
  - b. Removal of the kitchen sink, which is located in front of the electric panel and installation of a sink where it is safe for tenant usage OR relocation of the electrical panel to a safe location. Documentation from a Safety Code Officer – Electrical from the City of Calgary is required stating the safety of the panel location.

- c. Repair stove to ensure all burners are fully functioning.
  - d. Repair/fix the furnace so it can be operational in a safe manner. Provide documentation from a qualified contractor regarding the safety and good repair of the furnace.
  - e. In the main bedroom, replace the window type presently installed with a style that meets all requirements of Section 3 of the Minimum Housing and Health Standards.
  - f. Installation of smoke alarms near the main bedroom and second bedroom.
  - g. Ensure the second bedroom window meets all requirements of Section 3 of the Minimum Housing and Health Standards.
  - h. Hire a pest management company for mouse infestation issue and provide documentation.
  - i. Install handrail leading into the basement suite.
  - j. Repair bathroom mechanical fan to ensure it is fully functioning.
  - k. Repair all leaking water lines.
  - l. Install a window screen in the bedroom.
  - m. Vent the dryer to the outdoors, to the satisfaction of the Executive Officer.
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, this 4<sup>th</sup> day of August, 2011.

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Rikkie Ma, 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)*

Confirmation of an oral order issued to John Kelly, at 16:30, on July 29, 2011.

Copy Canadian Mental Health Association

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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)