

**IN THE MATTER OF THE PUBLIC HEALTH ACT – ALBERTA**  
**ORDER OF AN EXECUTIVE OFFICER**

**To:** Issak Tesfu  
(the “**Owner**”)

**And To:** All Occupants (the “**Occupants**”) of those premises located in Calgary, Alberta and municipally described as:

Basement Suite, 2524 16 B Street SW  
Calgary, Alberta

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

Basement Suite, 2524 16 B Street SW  
Calgary, Alberta

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted 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 a hole in the wall of the stairway leading to the laundry room from the upstairs kitchen.
- b. There is a hole in the wall of the laundry room.
- c. The base of the stairs and flooring in the laundry room were measured with a moisture meter and are saturated with water.
- d. There is a large hole in the ceiling near the entrance and in the kitchen cabinets.
- e. The walls, ceiling, and floor in the basement common areas, kitchen, bathroom, and bedroom are in disrepair and water damaged with paint peeling and bubbling from the walls and ceilings.
- f. The kitchen ceiling is bowed in due to water damage from the toilet leak above.
- g. The kitchen cupboards underneath the sink have large holes in them and are in disrepair.
- h. The kitchen counter top is in disrepair and uncleanable with plaster, paint, dirt and debris all over them.
- i. The kitchen sink is caked with plaster and unusable.
- j. The lights in the basement do not work.
- k. The wall across from the entrance into the unit and kitchen shows signs of previous water damage with paint peeling and bubbling.
- l. Water is accumulating on the laundry room floor.
- m. Due to the age of the home, asbestos is likely contained in the building materials of

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the house.

- n. The bedroom does not have any windows for emergency egress.
- o. The entrance door does not have a working lock.
- p. There is evidence of bedbugs and mice in the house.
- q. The laundry room is filthy and damp all over with pools of water next to the base of the washer and dryer.
- r. There is no smoke alarm.
- s. The shower stall is in disrepair with sections heavily soiled and uncleanable and a broken plastic panel serving as the door to the stall.
- t. Water was coming in from the exterior door to the basement laundry room.
- u. The windows across from the kitchen are cracked.
- v. There are no handrails on the outside stairway leading to the basement unit entrance.
- w. The handrail from the upper kitchen to the laundry room is missing guards/spindles leaving a large space where someone could fall through.

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

- a. There is a hole in the wall of the stairway leading to the laundry room from the upstairs kitchen, contravening section 5 of the Minimum Housing and Health Standards.
- b. There is a hole in the wall of the laundry room, contravening section 5 of the Minimum Housing and Health Standards.
- c. The base of the stairs and flooring in the laundry room were measured with a moisture meter and are saturated with water, contravening section 5 of the Housing Regulation.
- d. There is a large hole in the ceiling near the entrance and in the kitchen cabinets, contravening section 5 of the Minimum Housing and Health Standards.
- e. The walls, ceiling, and floor in the basement common areas, kitchen, bathroom, and bedroom are in disrepair and water damaged with paint peeling and bubbling from the walls and ceilings, contravening section 5 of the Minimum Housing and Health Standards and section 5 of the Housing Regulation.
- f. The kitchen ceiling is bowed in due to water damage from the toilet leak above, contravening section 1 and 5 of the Minimum Housing and Health Standards.
- g. The kitchen cupboards underneath the kitchen sink have large holes in them and are in disrepair, contravening section 5 of the Minimum Housing and Health Standards.
- h. The kitchen counter top is in disrepair and uncleanable with plaster, paint, dirt and debris all over them, contravening section 14 of the Minimum Housing and Health Standards.
- i. The kitchen sink is caked with plaster and unusable, contravening section 14 of the Minimum Housing and Health Standards.
- j. The lights in the basement do not work, contravening section 11 of the Minimum Housing and Health Standards or Section 5(2) of the Housing Regulation.
- k. The wall across from the entrance into the unit and kitchen shows signs of previous water damage with paint peeling and bubbling, contravening section 5 of the Minimum Housing and Health Standards.
- l. Water is accumulating on the laundry room floor, contravening section 1 of the

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Minimum Housing and Health Standards.

- m. Due to the age of the home, asbestos is likely contained in the building materials of the house, contravening section 5 of the Housing Regulation.
- n. The bedroom does not have any windows for emergency egress, contravening section 3 of the Minimum Housing and Health Standards.
- o. The entrance door does not have a working lock, contravening section 3 of the Minimum Housing and Health Standards.
- p. There is evidence of bedbugs and mice in the house, contravening section 16 of the Minimum Housing and Health Standards.
- q. The laundry room is filthy and damp all over with pools of water next to the base of the washer and dryer, contravening section 5 of the Housing Regulation.
- r. There is no smoke alarm, contravening section 12 of the Minimum Housing and Health Standards.
- s. The shower stall is in disrepair with sections heavily soiled and uncleanable and a broken plastic panel serving as the door to the stall, contravening section 7 of the Minimum Housing and Health Standards.
- t. Water was coming in from the exterior door to the basement laundry room, contravening section 2 of the Minimum Housing and Health Standards.
- u. The windows across from the kitchen are cracked, contravening section 2 of the Minimum Housing and Health Standards.
- v. There are no handrails on the outside stairway leading to the basement unit entrance, contravening section 3 of the Minimum Housing and Health Standards.
- w. The handrail from the upper kitchen to the laundry room is missing guards/spindles leaving a large space where someone could fall through, contravening section 3 of the Minimum Housing and Health Standards.

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**:

1. That the above noted premises remain **vacant**.
2. That, if the above noted premises are to be reoccupied by the public, the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Retain the services of a restoration and mould remediation specialist, approved by Alberta Health Services, to remove and replace or clean, as required, any and all drywall, building materials, and finishing materials, or any other item that is or may be water damaged, infested with or damaged by mould or bacteria. Assess the conditions within the above noted premises including the carrying out of environmental air quality analyses of the interior spaces (Reference should be made to Mould Guidelines for the Canadian Construction Industry located at [www.cca-acc.com/mould/](http://www.cca-acc.com/mould/).) Prepare for review by Alberta Health Services a detailed assessment report and scope of work plan, to be submitted prior to the initiation of work, including a hazardous materials audit and management plan.
  - b. Asbestos presence or absence must be assessed and determined to the

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- satisfaction of the Executive Officer. Asbestos abatement must be conducted in accordance with all applicable Alberta provincial legislation.
- c. Ensure that general renovation work, including painting, reinstallation of ceiling, walls and installation of new flooring and/or sub flooring is completed to the satisfaction of Alberta Health Services. All finishes must be smooth, impervious to moisture and easily cleanable.
  - d. Identify the source of the leaks in the basement. Fix the leaks and remove free standing water, contaminated, and water damaged materials. Allow the area to dry and contact the Executive Officer prior to refinishing with new materials.
  - e. Repair and refinish the walls, ceilings, and flooring in the bathroom, common areas, laundry room, bedroom, and kitchen so that they are smooth, easy to clean and free of cracks or holes.
  - f. Install a smoke alarm in the hallway outside of the bedroom.
  - g. Hire a professional pest management company to inspect, treat and eradicate the bedbug and mouse infestation in the house. Provide written documentation on the work completed – the documentation must indicate the house is free of mice and bedbugs.
  - h. Seal the holes in the kitchen cupboards and underneath the kitchen sink as well as all cracks, openings and baseboards in the rest of the home to prevent entry and spreading of pests.
  - i. Clean or replace the kitchen sink so that it is smooth and easy to clean.
  - j. Clean or replace the kitchen counter so that it is smooth, non absorbent, and easy to clean.
  - k. Repair or replace the kitchen cupboards so that they are smooth, non absorbent, and easy to clean.
  - l. Install an insect screen in the bathroom window and repair or replace the insect screen in the front door.
  - m. Install a sprinkler system for the basement unit or install an openable window that meets the Minimum Housing and Health Standards in the bedroom.
  - n. Replace the cracked windows across from the kitchen.
  - o. Install a lock on the exterior door.
  - p. Install a handrail on the outside stairway leading to the basement unit entrance.
  - q. Install spindles / block the opening underneath the handrail leading from the upper kitchen into the basement laundry room.
  - r. Demonstrate that all light fixtures are operating properly so that the dwelling is adequately lighted at all times.
  - s. Repair the basement exterior door so that it is in good repair, free of cracks and weatherproof so that it does not allow water to enter the house.
  - t. Replace shower stall with a new shower stall or bathtub which is smooth, easy to clean and free of cracks.
3. That, until such time as the work referred to in paragraph 2 is completed to the satisfaction of the undersigned, or an executive officer of Alberta Health Services, the above noted premises shall remain **vacant and secured from unauthorized entry**.

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Dated at Calgary, Alberta, this 5<sup>th</sup> day of July, 2011. Verbal order issued to Issak Tesfu on June 16<sup>th</sup>, 2011.

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Ryan Lau, CPHI (C)  
Executive Officer, Public Health Inspector  
Alberta Health Services

***Section 5(2) of the Public Health Act provides that a person who is directly affected by this Order and considers himself or herself aggrieved hereby may appeal the same to the Public Health Appeal Board, 24<sup>th</sup> Floor, Telus Plaza North Tower, 10025 Jasper Avenue, Edmonton AB T5J 2N3, within ten (10) days. The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal.***

***The Owner is advised that the Public Health Act empowers Alberta Health Services to carry out the terms of this Order on the Owner's behalf and at the Owner's expense should the Owner fail to comply with the terms hereof.***

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**Airdrie**

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

**Banff**

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

**Calgary/Mountain View/Rocky View**

Alberta Health Services, *Southport*  
10101 Southport Rd SW  
Calgary, AB T2W 3N2  
Phone: 403-943-2288  
Fax: 403-943-8056

**Canmore**

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

**Claresholm**

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

**Didsbury**

Didsbury Health Unit  
PO Box 130  
1210 -20th Avenue  
Didsbury, AB T0M 0W0  
Phone: 403-335-7292  
Fax: 403-335-7610

**Okotoks**

Okotoks Public Health Centre  
11 Cimarron Commons  
Okotoks, AB T1S 2E9  
Phone: 403-995-2600  
Fax: 403-995-2639

**Strathmore**

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

[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)