

IN THE MATTER OF THE PUBLIC HEALTH ACT – ALBERTA

ORDER OF AN EXECUTIVE OFFICER

To: Jaswal Enterprises Ltd.
465 California Place NE
Calgary, Alberta T1Y 6X6
(the “**Owner**”)

Jaswal, Harkrishan
465 California Place NE
Calgary, Alberta T1Y 6X6
(the “**Owner**”)

Jaswal, Sukhdev Kaur
465 California Place NE
Calgary, Alberta T1Y 6X6
(the “**Owner**”)

Minhas, Gurmit S & Surjit K
465 California Place NE
Calgary, Alberta T1Y 6X6
(the “**Owner**”)

Jaswal, Parminder S
465 California Place NE
Calgary, Alberta T1Y 6X6
(the “**Owner**”)

Jaswal, Amarjit S
465 California Place NE
Calgary, Alberta T1Y 6X6
(the “**Owner**”)

Jaswal, Sukhdev
465 California Place NE
Calgary, Alberta T1Y 6X6
(the “**Owner**”)

Jaswal, Pardip S
465 California Place NE
Calgary, Alberta T1Y 6X6
(the “**Owner**”)

Wilde, Laurie
#208 – 412 Huntsville Crescent NW
Calgary, Alberta T2K 5E1
(the “**Agent**”)

ORDER OF AN EXECUTIVE OFFICER

Re: Premises located in Calgary, Alberta and municipally described as **303-412 Huntsville Crescent NW**.

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

#303-412 Huntsville Crescent NW
Calgary, Alberta T2K 5E1

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

#303-412 Huntsville Crescent NW
Calgary, Alberta T2K 5E1

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. Patio deck has a hole in floor, is rotten and unsafe.
- b. Patio door does not lock.
- c. Master bedroom window does not lock.
- d. Master bedroom window is single pane, missing a glass window insert.
- e. Second bedroom window does not lock.
- f. Dining room window does not lock.
- g. Main entry door to suite is missing door jam, and is not secure.
- h. Sufficient heat not being supplied to suite.
- i. Kitchen cabinets are in disrepair.
- j. Kitchen faucet is loose and leaks onto countertop.
- k. Kitchen countertop is chipped and wall joint is mouldy.
- l. Carpet is heavily soiled with cat faeces and urine.
- m. Carpet and linoleum throughout suite are in poor condition; they are torn, shredded and soiled.
- n. Numerous holes in doors of suite.
- o. Bathroom ceiling has mould growth.
- p. Bathroom sink is leaking.
- q. Toilet seal is suspected of leaking due to the high moisture reading around toilet flooring.
- r. Bathroom countertop is chipped and stained.
- s. Bathroom cabinet under sink is water damaged and mouldy.
- t. Bathroom ventilation fan is not removing air.
- u. Bathtub surround has faucets and taps that are not sealed allowing water to enter behind surround. Drywall adjacent to bathtub surround is water damaged and cracking.
- v. Living room baseboard heater cover is missing.
- w. Patio door does not have an insect screen.
- x. Ceiling in hall and closet is water stained from previous water leak.
- y. Suite walls, floors, counters, and cabinets are generally filthy from the numerous cats and current occupants of suite.
- z. Due to age of building it is suspected that asbestos is present in the plaster joint compound of walls and ceilings and linoleum flooring.

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Re: Premises located in Calgary, Alberta and municipally described as **303-412 Huntsville Crescent NW.**

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

- a. Patio deck has a hole in floor, is rotten and unsafe. This is a contravention of Sections 1(c),(d) and 3(c), in the Minimum Housing and Health Standards.
- b. Patio door does not lock. This is a contravention of Section 3(a), in the Minimum Housing and Health Standards.
- c. Master bedroom window does not lock. This is a contravention of Section 3(a), in the Minimum Housing and Health Standards.
- d. Master bedroom window is single pane, missing a glass window insert. This is a contravention of Section 2(b), in the Minimum Housing and Health Standards.
- e. Second bedroom window does not lock. This is a contravention of Section 3(a), in the Minimum Housing and Health Standards.
- f. Dining room window does not lock. This is a contravention of Section 3(a), in the Minimum Housing and Health Standards.
- g. Main entry door to suite is missing door jam, and is not secure. This is a contravention of Section 3(a), in the Minimum Housing and Health Standards.
- h. Sufficient heat not being supplied to suite. This is a contravention of Section 8 and 11, in the Minimum Housing and Health Standards.
- i. Kitchen cabinets are in disrepair. This is a contravention of Section 14, in the Minimum Housing and Health Standards.
- j. Kitchen faucet is loose and leaks onto countertop. This is a contravention of Section 6, in the Minimum Housing and Health Standards.
- k. Kitchen countertop is chipped and wall joint is mouldy. This is a contravention of Section 14, in the Minimum Housing and Health Standards.
- l. Carpet is heavily soiled with cat faeces and urine. This is a contravention of Section 5(2), of the Alberta Housing Regulation.
- m. Carpet and linoleum throughout suite is in poor condition; torn, shredded and soiled. This is a contravention of Sections 1 and 5, in the Minimum Housing and Health Standards.
- n. Numerous holes in doors of suite. This is a contravention of Section 1, in the Minimum Housing and Health Standards.
- o. Bathroom ceiling has mould growth. This is a contravention of Sections 1 and 5, in the Minimum Housing and Health Standards.
- p. Bathroom sink is leaking. This is a contravention of Section 6, in the Minimum Housing and Health Standards.
- q. Toilet seal is suspected of leaking due to the high moisture reading around toilet flooring. This is a contravention of Section 6, in the Minimum Housing and Health Standards.
- r. Bathroom countertop is chipped and stained. This is a contravention of Sections 1 and 5, in the Minimum Housing and Health Standards.
- s. Bathroom cabinet under sink is water damaged and mouldy. This is a contravention of Sections 1 and 5, in the Minimum Housing and Health Standards.
- t. Bathroom ventilation fan is not removing air. This is a contravention of Section 7, in the Minimum Housing and Health Standards.
- u. Bathtub surround has faucets and taps that are not sealed allowing water to enter behind surround. Drywall adjacent to bathtub surround is water damaged and

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- cracking. This is a contravention of Sections 1 and 5, in the Minimum Housing and Health Standards.
- v. Living room baseboard heater cover is missing. This is a contravention of Section 5(2), of the Alberta Housing Regulation.
 - w. Patio door does not have an insect screen. This is a contravention of Section 2(b)(iii), in the Minimum Housing and Health Standards.
 - x. Ceiling in hall and closet is water stained from previous water leak. This is a contravention of Sections 1 and 5, in the Minimum Housing and Health Standards.
 - y. Suite walls, floors, counters, and cabinets are generally filthy from the numerous cats and current occupants of suite. This is a contravention of Section 5(2), of the Alberta Housing Regulation.
 - z. Due to age of building it is suspected that asbestos is present in the plaster joint compound of walls, ceilings and linoleum flooring. This is a contravention of Section 5(2), of the Alberta Housing Regulation.

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 be vacated no later than 1:00 PM, on Tuesday, the 01st day of March, 2011.
2. That, if the above noted premises are to be reoccupied, 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/.) 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 satisfaction of the Executive Officer. Asbestos abatement must be conducted in accordance with all applicable Alberta provincial legislation.
 - c. Repair patio deck and railing so it is secure, waterproof, weatherproof, and repaired as directed under the Alberta Building Code.
 - d. Repair the heating system to ensure it is properly installed and maintained in good working condition and capable of heating all rooms to at least 22 degrees Celsius. Ensure that the protective baseboard heater covers are replaced and in good condition.
 - e. Replace master bedroom window pane to ensure it is weatherproof, by a storm sash, double glazed panes or other durable thermal barrier.
 - f. Ensure all openable windows and doors can be secured with a locking mechanism.
 - g. Kitchen and bathroom cabinets and countertops must be replaced with new building materials and be in good repair and easily cleanable.

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- h. Replace bathroom ventilation fan with new operational fan.
 - i. Ensure all openable windows and patio doors have tight fitting insect screens in good repair.
 - j. Repair or replace plumbing fixtures, faucets, toilet seals, and toilets as identified above.
 - k. Replace all flooring so it is in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean. Replace all soiled, rotten and damaged sub-floors and ensure they are structurally sound. Ensure all work is completed to the satisfaction of Alberta Health Services.
 - l. Repair or replace all damaged interior doors and door frames.
 - m. Ensure main suite entry door frame is sturdy and can be secured.
 - n. All remaining surfaces of suite must be cleaned and sanitized with a mild bleach solution.
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**.

Dated at Calgary, Alberta, this 07th day of February, 2011. Verbal order was issued on January 31, 2011 during a phone conversation with Laurie Wilde, building manager.

Heather A Langemann, 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, 24th 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.

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
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Claresholm
Claresholm Public Health
5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
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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
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