

**ORDER OF AN EXECUTIVE OFFICER  
UNFIT FOR HUMAN HABITATION  
ORDER TO VACATE**

**To: Bessie Suk-Ling Tsui  
(the “owner”)**

**To: David Wai-Man Wong  
(the “property manager”)**

**And To: All Occupant(s) of the following Housing premises:  
4012 Centre Street NE, Calgary**

**RE: Those housing premises located in Calgary, Alberta and municipally described as:  
4012 Centre Street NE**

**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. Dog feces and urine are observed in the basement and in the main floor kitchen.
- b. Accumulation of junk, furniture and other items is observed in the backyard,
- c. Accumulation of food items and junk is observed on the kitchen floor.
- d. Car parts and furniture are stored in the middle landing area of the stairs leading to the basement.
- e. Exterior walls under the house number sign are damaged and missing with steel wire exposed.
- f. Outside stairs for the front entrance door are not stable and some stair treads are rotting.
- g. The handrail for the outside stairs for the front entrance door is not secured and wobbly.
- h. The door trims are missing for the front entrance door inside the house.
- i. Parts of the interior walls surrounding the front entrance door are missing or damaged.
- j. Gas is cut off for the house resulting in no central heat or hot water.
- k. Electricity is cut off for the house.
- l. Electrical wires are connected to car batteries for appliances usage.
- m. Propane tank burner is used indoors to supply heat.
- n. Furnace is not functional. The furnace ductwork is falling apart and not connected properly.
- o. No handrails are installed for the stairs leading to the basement.
- p. There is an opening approximately 2 feet by 2 feet in the bottom left corner of the wall by the patio door.
- q. The east facing window in the main floor east facing bedroom is single pane without a storm sash.
- r. The windows in the main floor east facing bedroom are jammed and cannot be opened.

- s. The door trim for the main floor east facing bedroom is missing.
- t. The door is damaged for the main floor east facing bedroom.
- u. The windows in the main floor west facing bedroom are jammed and cannot be opened.
- v. The door trim for main floor west facing bedroom is missing.
- w. The door is damaged for the main floor west facing bedroom.
- x. The door trim for the main floor washroom is missing.
- y. There is a hole in the wall where the main washroom hand sink pipes are located.
- z. The walls around the main floor washroom are damaged.
- aa. There is a section of the wall beside the main floor washroom bathtub cracked and moldy.
- bb. A section of the baseboard under the main floor washroom hand sink is missing.
- cc. There is a hole in the wall where the thermostat is located in the main floor hallway.
- dd. The main floor kitchen floor is damaged and missing floor tiles at various places.
- ee. The openable areas of the windows in the two basement rooms are not meeting the minimum egress requirement.
- ff. The ceiling in the basement living room is missing ceiling tiles for at least half of the ceiling.
- gg. The basement washroom does not have a hand sink.
- hh. There are moldy walls by the plumbing pipes where the basement kitchen used to be.
- ii. Various holes are present in the basement walls.
- jj. The south facing basement bedroom ceiling is bulging downward.

**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. Dog feces and urine are observed in the basement and in the main floor kitchen. This is in contravention of Section 5(2), in the Housing Regulation.
- b. Accumulation of junk, furniture and other items is observed in the backyard. This is in contravention of Section 5(2), in the Housing Regulation.
- c. Accumulation of food items and junk is observed on the kitchen floor. This is in contravention of Section 5(2), in the Housing Regulation.
- d. Car parts and furniture are stored in the middle landing area of the stairs leading to the basement. This is in contravention of Section 5(2), in the Housing Regulation.
- e. Exterior walls under the house number sign are damaged and missing with steel wire exposed. This is in contravention of Section 2(a), in the Minimum Housing and Health Standards.
- f. Outside stairs for the front entrance door are not stable and some stair treads are rotting. This is in contravention of Section 3(c), in the Housing Regulation.
- g. The handrail for the outside stairs for the front entrance door is not secured and wobbly. This is in contravention of Section 3(c), in the Housing Regulation.
- h. The door trims are missing for the front entrance door inside the house. This is in contravention of Section 2(b), in the Minimum Housing and Health Standards.
- i. Parts of the interior walls surrounding the front entrance door are missing or damaged. This is in contravention of Section 5, in the Minimum Housing and Health Standards.
- j. Gas is cut off for the house resulting in no central heat or hot water. This is in contravention of Section 8 (d) and 9, in the Minimum Housing and Health Standards.
- k. Electricity is cut off for the house. This is in contravention of Section 11, in the Minimum Housing and Health Standards.

- l. Electrical wires are connected to car batteries for appliances usage. This is in contravention of Section 11, in the Minimum Housing and Health Standards.
- m. Propane tank burner is used indoors to supply heat. This is in contravention of Section 8 (c), in the Minimum Housing and Health Standards.
- n. Furnace is not functional. The furnace ductwork is falling apart and not connected properly. This is in contravention of Section 8, in the Minimum Housing and Health Standards.
- o. No handrails are installed for the stairs leading to the basement. This is in contravention of Section 3(c), in the Minimum Housing and Health Standards.
- p. There is an opening approximately 2 feet by 2 feet in the bottom left corner of the wall by the patio door. This is in contravention of Section 5, in the Minimum Housing and Health Standards.
- q. The east facing window in the main floor east facing bedroom is single pane without a storm sash. This is in contravention of Section 2(b), in the Minimum Housing and Health Standards.
- r. The windows in the main floor east facing bedroom are jammed and cannot be opened. This is in contravention of Section 3(b), in the Minimum Housing and Health Standards.
- s. The door trim for the main floor east facing bedroom is missing. This is in contravention of Section 5, in the Minimum Housing and Health Standards.
- t. The door is damaged for the main floor east facing bedroom. This is in contravention of Section 5, in the Minimum Housing and Health Standards.
- u. The windows in the main floor west facing bedroom are jammed and cannot be opened. This is in contravention of Section 3(b), in the Minimum Housing and Health Standards.
- v. The door trim for main floor west facing bedroom is missing. This is in contravention of Section 5, in the Minimum Housing and Health Standards.
- w. The door is damaged for the main floor west facing bedroom. This is in contravention of Section 5, in the Minimum Housing and Health Standards.
- x. The door trim for the main floor washroom is missing. This is in contravention of Section 5, in the Minimum Housing and Health Standards.
- y. There is a hole in the wall where the main washroom hand sink pipes are located. This is in contravention of Section 5, in the Minimum Housing and Health Standards.
- z. The walls around the main floor washroom are damaged. This is in contravention of Section 5, in the Minimum Housing and Health Standards.
- aa. There is a section of the wall beside the main floor washroom bathtub cracked and moldy. This is in contravention of Section 5(2), in the Housing Regulation and Section 5 in the Minimum Housing and Health Standards
- bb. A section of the baseboard under the main floor washroom hand sink is missing. This is in contravention of Section 5, in the Minimum Housing and Health Standards.
- cc. There is a hole in the wall where the thermostat is located in the main floor hallway. This is in contravention of Section 5, in the Minimum Housing and Health Standards.
- dd. The main floor kitchen floor is damaged and missing floor tiles at various places. This is in contravention of Section 5, in the Minimum Housing and Health Standards.
- ee. The openable areas of the windows in the two basement rooms are not meeting the minimum egress requirement. This is in contravention of Section 3(b), in the Minimum Housing and Health Standards.
- ff. The ceiling in the basement living room is missing ceiling tiles for at least half of the ceiling. This is in contravention of Section 5, in the Minimum Housing and Health Standards.
- gg. The basement washroom does not have a hand sink. This is in contravention of Section 7, in the Minimum Housing and Health Standards.

- hh. There are moldy walls by the plumbing pipes where the basement kitchen used to be. This is in contravention of Section 5(2), in the Housing Regulation.
- ii. Various holes are present in the basement walls. This is in contravention of Section 5, in the Minimum Housing and Health Standards.
- jj. The south facing basement bedroom ceiling is bulging downward. This is in contravention of Section 5, in 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**:

- a. That the occupants vacate the above noted premises on or before October 19, 2011 at 2pm. The house must be boarded up to the satisfaction of the executive officer so it is secured from unauthorized entry.
- b. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Remove propane tank heater from the house.
  - b. Remove the car batteries.
  - c. Ensure the electricity is connected.
  - d. Ensure the gas is connected so that satisfactory heat and hot water are provided as per Minimum Housing and Health Standards.
  - e. Remove the wires that are connected to the car batteries or any exposed wires used other than the ones inside walls.
  - f. Remove the accumulation of junk, furniture, and wood from the backyard and the front yard.
  - g. Repair or replace the furnace and the furnace ductwork. Provide a copy of the approval from the City of Calgary safety code officer.
  - h. Remove all water damaged and moldy materials in the basement. Identify the source of the leak if not already repaired. Refinish the walls and the floor with new materials.
  - i. Repair and refinish all damaged walls and ceilings throughout the house.
  - j. Install door trims for all the doors and repair damaged doors in the house.
  - k. Install handrails for the stairs leading to the basement.
  - l. Repair and refinish the kitchen floor.
  - m. Rebuild the stairs for the front door. Secure the metal handrail for the stairs.
  - n. Modify or replace at least one window in each bedroom to meet the egress requirement. The windows must provide unobstructed openings with areas no less than 0.35m<sup>2</sup>, with no dimension less than 380mm.
  - o. If the basement is to be rented out separately, kitchen facilities, such as kitchen sink, cupboard, counter, refrigerator, and stove must be provided.
  - p. Thoroughly clean and sanitize all dog urine and feces contaminated areas.
  - q. Weatherproof all the windows in the house.
  - r. Remove all water damaged and moldy materials in the main floor washroom. Refinish and the wall with new materials.
  - s. Install a hand sink for the basement washroom.
  - t. Remove the junk and garbage from the kitchen floor.

- 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, October 19, 2011

**Luke Lee**, 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 Bessie Suk-Ling Tsui and David Wai-Man Wong, on October 18, 2011.

Copy Bessie Suk-Ling Tsui

Copy David Wai-Man Wong

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