

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

To: Gary Kreuzer

To: Rob Kreuzer

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

Unit 4, 1815 28 Avenue SW
Calgary, Alberta

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

Unit 4, 1815 28 Avenue 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. The bathroom walls and ceilings are unfinished with a hole, to the exterior of the home, in the ceiling above the tub.
- b. The wall and ceiling in the kitchen near the stove are saturated with water and sewage from a toilet leak in the unit above.
- c. There is a hole in the bathroom floor between the toilet and bathroom cabinet.
- d. The bedroom window has a magnet installed on the top of the window which does not work properly as a self supporting mechanism for the window. Thereby, making the window unacceptable for egress purposes.

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. The bathroom walls and ceilings are unfinished with a hole in the ceiling above the tub, contravening section 5 of the Minimum Housing and Health Standards.
- b. The wall and ceiling in the kitchen near the stove are saturated with water and sewage from a toilet leak in the unit above, contravening section 5 of the Housing Regulation.

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- c. There is a hole in the bathroom floor between the toilet and bathroom cabinet, contravening section 5 of the Minimum Housing and Health Standards.
- e. The bedroom window has a magnet installed on the top of the window which does not work properly as a self supporting mechanism for the window. Thereby, making the window unacceptable for egress purposes, 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 **closed for tenant accommodation purposes**;

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. Identify the source of the leak in the kitchen. Fix the leak and remove contaminated materials / water damaged materials. Contact the Executive Officer once the area is dry prior to replacing with new materials and refinishing the walls and ceiling in the kitchen.
 - b. Repair and refinish the walls, ceilings, and flooring in the bathroom so that they are smooth, non absorbent, easy to clean and free of cracks or holes.
 - c. Install a self supporting mechanism to hold the window pane up so that the window provides an unobstructed opening, which meets egress requirements in the Minimum Housing and Health Standards.
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 **closed for tenant accommodation purposes**.

Dated at Calgary, Alberta, this 4th day of July, 2011. Verbal order issued to Gary Kreuzer on June 22, 2011.

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, 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.

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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
Fax: 403-678-5068

Claresholm

Claresholm Public Health
5221 2nd 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
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Fax: 403-361-7244

www.albertahealthservices.ca/eph.asp