

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

To: 1279645 Alberta Inc.
c/o 1200, 1015 4 Street SW
Calgary, Alberta T2R 1J4
(the “Owner”)

Mark L Hoffinger, Sole Director
c/o 1200, 1015 4 Street SW
Calgary, Alberta T2R 1J4
(the “Owner”)

Ehsan Ali
507 17 Avenue SW
Calgary, Alberta T2S 0A9
(the “Owner”)

Salauddin Choudhury
507 17 Avenue SW
Calgary, Alberta T2S 0A9
(the “Owner”)

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

Basement Unit, 507 17 Avenue SW
Calgary, Alberta

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

Basement Unit, 507 17 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 basement unit which was being used for sleeping purposes has no windows or ventilation.
- b. The unit has been affected by a sewage back-up.
- c. There is no kitchen in the unit.
- d. There is no bathroom in the unit.

- e. The walls, floors and ceiling are constructed of bare, unfinished concrete.
- f. There is no smoke alarm in the unit.
- g. The lighting in the unit, and in the access hallways to the unit, is not sufficient.

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 basement unit which was being used for sleeping purposes has no windows or ventilation. This is in contravention of the Minimum Housing and Health Standards, Sections 3(b) and 4.
- b. The unit has been affected by a sewage back-up. This is in contravention of the Minimum Housing and Health Standards, Section 6 and of the Housing Regulation section 5(2).
- c. There is no kitchen in the unit. This is in contravention of the Minimum Housing and Health Standards, Section 14.
- d. There is no bathroom in the unit. This is in contravention of the Minimum Housing and Health Standards, Section 7.
- e. The walls, floors and ceiling are constructed of bare, unfinished concrete. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- f. There is no smoke alarm in the unit. This is in contravention of the Minimum Housing and Health Standards, Section 12.
- g. The lighting in the unit, and in the access hallways to the unit, is not sufficient. This is in contravention of the Minimum Housing and Health Standards, Section 13.

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 4:00pm, on Monday, the 21st 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. Install windows that meet the egress requirements of the Minimum Housing and Health Standards.
 - b. Install a full kitchen.
 - c. Install a full bathroom.
 - d. Install a fully functioning smoke alarm.
 - e. Ensure the floors, walls and ceilings are in good repair.
 - f. Increase lighting levels so as to meet the requirements of the Standards.
 - g. Clean and sanitize the area affected by the sewage backup.

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 24th day of March, 2011, confirming a verbal order issued to Ehsan Ali on March 21st, 2011.

Daria Romanish CPHI(C)
Executive Officer
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
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Phone: 403-678-5656
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Claresholm
Claresholm Public Health
5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403-625-4061
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Didsbury
Didsbury Health Unit
PO Box 130
1210 -20th Avenue
Didsbury, AB T0M 0W0
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11 Cimarron Commons
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Strathmore
Public Health Building
650 Westchester Road
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