

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

To: **Beverley Anne Dakin
(the “owner”)**

And To: **All Occupant(s) of the following Housing premises:**

RE: Those housing premises located in Calgary, Alberta and municipally described as:
Unit 55, 115 Bergen Road NW

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. Heavy mice infestation is observed thorough the entire unit. Huge amount of mice droppings are found on floor, carpet, cupboards, fridge, oven and any other places in the unit. A number of both live and dead mice were also observed at the time of inspection.
- b. The carpet throughout the unit is heavily soiled with mice feces, urine and debris.
- c. The furnace is not functional.
- d. The basement, upstairs bedrooms and stairs are packed with garbage, furniture and personal items.
- e. The kitchen cupboards, counters and surfaces through out the unit are in a filthy condition.

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. Heavy mice infestation is observed thorough the entire unit. Huge amount of mice droppings are found on floor, carpet, cupboards, fridge, oven and any other places in the unit. A number of both live and dead mice were also observed at the time of inspection. This is in contravention of the Nuisance and General Sanitation Regulation, specifically Section 2(1).
- b. The carpet throughout the unit is heavily soiled with mice feces, urine and debris. This is in contravention of the Nuisance and General Sanitation Regulation, specifically Section 2(1).
- c. The furnace is not functional. This is in contravention of the Nuisance and General Sanitation Regulation, specifically Section 2(1).
- d. The basement, upstairs bedrooms and stairs are packed with garbage, furniture and personal items. This is in contravention of the Nuisance and General Sanitation Regulation, specifically Section 2(1).

- e. The kitchen cupboards, counters and surfaces through out the unit are in a filthy condition. This is in contravention of the Nuisance and General Sanitation Regulation, specifically Section 2(1).

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 immediately.
- b. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure that all carpet and other flooring in the unit are removed and the entire subfloor that has been contaminated with mice droppings and urine is thoroughly cleaned and disinfected before installing a new floor.
 - b. The kitchen cupboards, counters and all surfaces throughout the unit must thoroughly cleaned and disinfected.
 - c. Repair the furnace.
 - d. Discard all garbage and unwanted items to declutter.
 - e. Hire a professional pest control company to treat the heavy mice infestation.
- 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, December 22, 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 24th 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.

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.

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

Confirmation of an oral order issued to Chuck Vaughan, at 2pm on December 21, 2011.

Copy Beverley Anne Dakin

Copy Megan Connolly, AHS social worker

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 2nd 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