

ORDER OF AN EXECUTIVE OFFICER CLOSED FOR TENANT ACCOMMODATION PURPOSES ORDER TO VACATE

To: Gueorgui Stovbour
(the "Owner")

And To: All Occupant(s) of the following Housing premises:
11217 11 Street SW, Calgary Alberta

RE: Those housing premises located in Calgary, Alberta and municipally described as:
11217 11 Street SW, Calgary Alberta

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:

Main Floor

- a. Roof has been leaking throughout main floor.
- b. Roof leak has caused significant mould growth on the interior drywall and likely on the interior structure of the ceiling.
- c. Bathtub surround is in a state of disrepair with cracked ceramic tiles, lifting linoleum tiles, mouldy grout and caulking. It is likely there is water damage, mould and rot behind the bathtub surround structure.
- d. The toilet seal is leaking. Moisture meter reading on the floor in the area of the toilet base indicates moisture in the subfloor. This area is likely mouldy and rotten.
- e. The toilet tank lid is cracked.
- f. There is significant mould growth on the bathroom walls.
- g. The ventilation fan in the bathroom has been covered with a drop ceiling and false cover preventing it from drawing air and humidity out.
- h. There is significant mould and rot on the interior of the bathroom vanity under the sink. Carpet has been placed on the shelf that is soaking wet and mouldy.
- i. There is damage to the south bedroom door and other wall damage throughout the living space.
- j. The smoke detector is not functioning and not located in an appropriate location.
- k. There is no lock on the living room window.
- l. The kitchen window does not close, leaving a gap that is not weatherproof.
- m. The north bedroom window does not have an insect screen.
- n. The south bedroom storm door does not have an insect screen.

Common Area

- a. No stove provided for basement tenants.
- b. The living room windows do not have insect screens.

- c. The bathroom floor tiles are lifting behind the toilet and are separating in other areas of bathroom.
- d. A tap handle is missing from the shower.
- e. The bathroom has significant amounts of mould growing on the interior surfaces of the shower, and the bathroom walls.
- f. A section of the bathroom ceiling drywall has collapsed leaving a hole and area is bowing (area of approximately 3 feet by 4 feet) from water or sewage damage.
- g. The kitchen floor tiles are lifting and not in an easily cleanable state.
- h. The basement stairs and risers have lifting linoleum.
- i. The furnace room has a large amount of combustible materials stored in it.
- j. The furnace filter is the wrong size for the furnace (too small) and does not provide effective filtering of air.
- k. The clothing wash machine is not draining or is leaking during the wash cycle filling the floor area with water during use. The walls of this room and articles near the machine are wet and rotting.
- l. The basement entry door has a double deadbolt lock where a key is required from the interior.
- m. The basement entry storm door is jammed and not able to open.
- n. The front exterior stairway handrail is loose.

North Basement Bedroom

- a. Window does not have an insect screen.

South Basement Bedroom

- b. Window does not have an insect screen.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

Main Floor

- a. Roof has been leaking throughout main floor. This is a contravention of Sections 1(a), 1(c) and 2(a) of the Minimum Housing and Health Standards.
- b. Roof leak has caused significant mould growth on the interior drywall and likely on the interior structure of the ceiling. This is a contravention of Sections 1(c) and 2(a) of the Minimum Housing and Health Standards.
- c. Bathtub surround is in a state of disrepair with cracked ceramic tiles, lifting linoleum tiles, mouldy grout and caulking. It is likely there is water damage, mould and rot behind the bathtub surround structure. This is a contravention of Sections 1(c) and 5(a) of the Minimum Housing and Health Standards.
- d. The toilet seal is leaking. Moisture meter reading on the floor in the area of the toilet base indicates moisture in the subfloor. This area is likely mouldy and rotten. This is a contravention of Sections 1(c) and 5(a) of the Minimum Housing and Health Standards.
- e. The toilet tank lid is cracked. This is a contravention of Section 6 of the Minimum Housing and Health Standards.
- f. There is significant mould growth on the bathroom walls. This is a contravention of Section 5(2) of the Housing Regulation.
- g. The ventilation fan in the bathroom has been covered with a drop ceiling and false cover

- preventing it from drawing air and humidity out. This is a contravention of Section 7(c) of the Minimum Housing and Health Standards.
- h. There is significant mould and rot on the interior of the bathroom vanity under the sink. Carpet has been placed on the shelf that is soaking wet and mouldy. This is a contravention of Sections 1(c) and 5(a) of the Minimum Housing and Health Standards.
 - i. There is damage to the south bedroom door and other wall damage throughout the living space. This is a contravention of Section 5 of the Minimum Housing and Health Standards.
 - j. The smoke detector is not functioning and not located in an appropriate location. This is a contravention of Section 12 of the Minimum Housing and Health Standards.
 - k. There is no lock on the living room window. This is a contravention of Section 3(a) of the Minimum Housing and Health Standards.
 - l. The kitchen window does not close, leaving a gap that is not weatherproof. This is a contravention of Section 2(b) of the Minimum Housing and Health Standards.
 - m. The north bedroom window does not have an insect screen. This is a contravention of Section 2(b) of the Minimum Housing and Health Standards.
 - n. The south bedroom storm door does not have an insect screen. This is a contravention of Section 2(b) of the Minimum Housing and Health Standards.

Common Area

- a. No stove provided for basement tenants. This is a contravention of Section 14 of the Minimum Housing and Health Standards.
- b. The living room windows do not have insect screens. This is a contravention of Section 2(b) of the Minimum Housing and Health Standards.
- c. The bathroom floor tiles are lifting behind the toilet and are separating in other areas of bathroom. This is a contravention of Section 5 of the Minimum Housing and Health Standards.
- d. A tap handle is missing from the shower. This is a contravention of Section 6 of the Minimum Housing and Health Standards.
- e. The bathroom has significant amounts of mould growing on the interior surfaces of the shower, and the bathroom walls. This is a contravention of Section 5(2) of the Housing Regulation and Sections 5(a) and 16 of the Minimum Housing and Health Standards.
- f. A section of the bathroom ceiling drywall has collapsed leaving a hole and area is bowing (area of approximately 3 feet by 4 feet) from water or sewage damage. This is a contravention of Section 5(2) of the Housing Regulation and Sections 1(c) and 5(a) of the Minimum Housing and Health Standards.
- g. The kitchen floor tiles are lifting and not in an easily cleanable state. This is a contravention of Section 5 of the Minimum Housing and Health Standards.
- h. The basement stairs and risers have lifting linoleum. This is a contravention of Section 5 of the Minimum Housing and Health Standards.
- i. The furnace room has a large amount of combustible materials stored in it. This is a contravention of Section 5(2) of the Housing Regulation.
- j. The furnace filter is the wrong size for the furnace (too small) and does not provide effective filtering of air. This is a contravention of Section 5(2) of the Housing Regulation.
- k. The clothing wash machine is not draining or is leaking during the wash cycle filling the floor area with water during use. The walls of this room and articles near the machine are wet and rotting. This is a contravention of Section 5(2) of the Housing Regulation and Sections 5(a), 6 and 16 of the Minimum Housing and Health Standards.
- l. The basement entry door has a double deadbolt lock where a key is required from the interior. This is a contravention of Section 5(2) of the Housing Regulation.
- m. The basement entry storm door is jammed and not able to open. This is a contravention of

Section 5(2) of the Housing Regulation.

- n. The front exterior stairway handrail is loose. This is a contravention of Section 3(c) of the Minimum Housing and Health Standards.

North Basement Bedroom

- a. Window does not have an insect screen. This is a contravention of Section 2(b) of the Minimum Housing and Health Standards.

South Basement Bedroom

- a. Window does not have an insect screen. This is a contravention of Section 2(b) 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 occupants vacate the above noted premises immediately, except the occupant in basement north bedroom who must vacate by 6:00 PM October 31, 2011.
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install a functioning smoke detector in a location as designated under the Minimum Housing and Health Standards.
 - b. Repair or replace the roof. Receipts are requested for review of the work completed.
 - c. 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, cabinets, bathtub surround, building materials, and finishing materials, or any other item that is or may be water damaged, infested with or damaged by mould or bacteria. (Reference should be made to Mould Guidelines for the Canadian Construction Industry located at www.cca-acc.com/mould/.) Receipts are requested for review of the work completed.
 - d. Cut out all water damaged sections of the bathrooms (tub surround, cabinets, and floor around main floor toilet). Leave these areas open for inspection by an Alberta Health Services Executive Officer prior to patching.
 - e. Cut out all water damaged sections of the ceilings on all levels. Leave these areas open for inspection by an Alberta Health Services Executive Officer prior to patching.
 - f. Install, repair or alter the main floor bathroom ventilation fan so it is drawing sufficient air flow and removing humidity.
 - g. Repair or replace basement shower tap handle.
 - h. Replace wax ring for main floor toilet.
 - i. Replace main floor toilet tank lid.
 - j. Ensure all windows have locking mechanisms.
 - k. Replace side door entrance deadbolt with a model that has an interior toggle for emergency egress.
 - l. Ensure side storm door is opening and closing smoothly.
 - m. Ensure main floor kitchen window closes tightly without any gaps.

- n. Repair or replace all lifting, separating or damaged flooring in areas as identified above.
 - o. Secure exterior stair railing.
 - p. Repair or replace damaged interior door.
 - q. Install insect screens on all windows as identified above.
 - r. All tenants of premise require access to a functioning stove as per the Minimum Housing and Health Standards.
 - s. Remove all combustible materials from furnace room.
 - t. Have furnace and ducts cleaned after all repair work is completed. Install new furnace filter that is the appropriate size and type. Receipts are requested for review of the work completed.
 - u. Repair, replace or remove the leaking clothing washer.
 - v. Clean all common use areas.
3. 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 closed for tenant accommodation purposes.

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, September 26, 2011

Heather A Langemann, 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 Gueorgui Stovbour, at Thursday September 22, 2011 by way of a voicemail message.

AIRDRIE Regional Health Centre
604 Main Street South
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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
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Fax: 403-943-8056

CANMORE Public Health
#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
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COCHRANE Community Health Centre
60 Grande Boulevard
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OKOTOKS Health and Wellness Centre
11 Cimarron Common
Okotoks, AB T1S 2E9
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STRATHMORE Public Health Office
650 Westchester Road
Strathmore, AB T1P 1H8
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www.albertahealthservices.ca/eph.asp