

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

**To: Michael Joseph Connolly  
(the “owner”)**

**Tammy Victoria Connolly  
(the “owner”)**

**Wentworth Development Inc.  
(the “land owner”)**

**Blackfoot Mobile Home Park  
(the “land owner”)**

**Gurmeet Brar  
(the “land owner”)**

**Kathie Lee Mintoft  
(the “land owner”)**

**And To: All Occupant(s) of the following Housing premises:  
#23 – 9200 Blackfoot Trail SE, Calgary, AB  
Mobile home 1972 Commodore 24x40 Serial #0154**

**RE: Those housing premises located in Calgary, Alberta and municipally described as:  
#23 – 9200 Blackfoot Trail SE, Calgary, AB  
Mobile home 1972 Commodore 24x40 Serial #0154**

**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. No smoke detector.
- b. Ceilings are water stained and bowing
- c. Roof has leaked causing extensive water damage, rot and mould throughout the interior surfaces of the trailer.
- d. Due to the water infiltration and large cracks on many exterior walls the structure of the unit is questionable.
- e. The water infiltration has lead to interior conditions that are conducive to mould growth.
- f. The furnace is not functioning; the occupant is using space heaters.

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Re: Those premises located in Calgary, Alberta and municipally described as 23-9200 Blackfoot Trail SE, Calgary, Alberta

- g. The hot water at the kitchen faucet is not functioning; the valve below must be used for control.
- h. The kitchen faucet is dripping.
- i. The stove has two burners that are malfunctioning and the oven doesn't work.
- j. The kitchen cupboards are in disrepair.
- k. The kitchen backsplash is water damaged and in disrepair.
- l. There are electrical switch plates that are missing and some switches do not function.
- m. The bathtub surround is in poor condition with large areas where the linoleum surface is cracked and missing, permitting water infiltration.
- n. The toilet seal is suspected of leaking as the moisture reading around the toilet base is over 90%.
- o. The subfloor around the base of the toilet is soft and likely rotten from the toilet seal leaking.
- p. The kitchen window insect screen is torn.
- q. The front interior door is not weatherproof.
- r. Due to the age of the premise it is suspected that asbestos is present in various building materials.

**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. No smoke detector. This is a contravention of Section 12 of the Minimum Housing and Health Standards.
- b. Ceilings are water stained and bowing. This is a contravention of Sections 1 and 5 of the Minimum Housing and Health Standards.
- c. Roof has leaked causing extensive water damage, rot and mould throughout the interior surfaces of the trailer. This is a contravention of Sections 1 and 2 of the Minimum Housing and Health Standards and of Section 5(2) of the Housing Regulation.
- d. Due to the water infiltration and large cracks on many exterior walls the structure of the unit is questionable. This is a contravention of Sections 1 and 2 of the Minimum Housing and Health Standards and of Section 5(2) of the Housing Regulation.
- e. The water infiltration has lead to interior conditions that are conducive to mould growth. This is a contravention of Section 1 of the Minimum Housing and Health Standards and of Section 5(2) of the Housing Regulation.
- f. The furnace is not functioning; the occupant is using space heaters. This is a contravention of Section 8 of the Minimum Housing and Health Standards.
- g. The hot water at the kitchen faucet is not functioning; the valve below must be used for control. This is a contravention of Section 6 of the Minimum Housing and Health Standards.
- h. The kitchen faucet is dripping. This is a contravention of Section 6 of the Minimum Housing and Health Standards.
- i. The stove has two burners that are malfunctioning and the oven doesn't work. This is a contravention of Section 14 of the Minimum Housing and Health Standards.
- j. The kitchen cupboards are in disrepair. This is a contravention of Section 14 of the Minimum Housing and Health Standards.
- k. The kitchen backsplash is water damaged and in disrepair. This is a contravention of Section 5 of the Minimum Housing and Health Standards.
- l. There are electrical switch plates that are missing and some switches do not function. This is a contravention of Section 11 of the Minimum Housing and Health Standards.

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- m. The bathtub surround is in poor condition with large areas where the linoleum surface is cracked and missing, permitting water infiltration. This is a contravention of Sections 1 and 5 of the Minimum Housing and Health Standards.
- n. The toilet seal is suspected of leaking as the moisture reading around the toilet base is over 90%. This is a contravention of Sections 1 and 6 of the Minimum Housing and Health Standards.
- o. The subfloor around the base of the toilet is soft and likely rotten from the toilet seal leaking. This is a contravention of Section 1 of the Minimum Housing and Health Standards.
- p. The kitchen window insect screen is torn. This is a contravention of Section 2 of the Minimum Housing and Health Standards.
- q. The front interior door is not weatherproof. This is a contravention of Section 2 of the Minimum Housing and Health Standards.
- r. Due to the age of the premise it is suspected that asbestos is present in various building materials. This is a contravention of Section 5(2) of the Housing Regulation.

**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 12:00 noon on October 31, 2011.
- b. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Hire a suitably qualified structural engineer to assess the entire structure of the trailer to determine the structural safety and measures required to make it structurally safe. A copy of this report must be provided to the Executive Officer named below. All structural repairs noted in the engineers report must be adhered to.
  - b. Hire an Alberta Health Services approved mould remediation contractor to assess, remediate and remove all mould infested or contaminated materials from the interior of the trailer. This includes all carpets, underlay, walls, ceilings and appurtenances that have rot, water damage or mould. A copy of this order must be provided to the contractor and be adhered to. An inspection is required prior to covering or replacing any new building materials.
  - c. Asbestos presence or absence must be assessed and determined to the satisfaction of the Executive Officer. Asbestos abatement must be conducted in accordance with all applicable Alberta provincial legislation. Written documentation of presence or absence must be provided to this office prior to remediation, and documentation provided to this office of all work completed.
  - d. Replace or repair the roof.
  - e. Repair or replace all electrical outlets or switches that are not functioning or missing covers.
  - f. Repair or replace the furnace. Provide receipts to this office for this work.
  - g. Repair the kitchen cupboards and backsplash.
  - h. Provide a working stove.
  - i. Repair or replace plumbing fixtures, faucets, toilet seal, and toilet as identified above.
  - j. Install or replace the weather-stripping around the front entry doors.
  - k. Repair or replace the kitchen window insect screen.

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- i. Install a working smoke detector as per the Minimum Housing and Health Standards.
- 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.
- d. Should the decision be made to demolish this premise in lieu of the listed repairs above documentation of the demolition must be provided to the Executive Officer named below. Asbestos presence or absence must be assessed and determined to the satisfaction of the Executive Officer. Asbestos abatement or containment during the demolition must be conducted in accordance with all applicable Alberta provincial legislation, documentation of the measures taken must be provided to this office.

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 27, 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 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).*

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**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 Tammy Connolly during a phone conversation at 12:30pm on October 25, 2011.

**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  
Phone: 403-361-7200  
Fax: 403-361-7244

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