

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

To: Chidirim Ejim
173 Rocky Ridge Close NW
Calgary Alberta
T3G 4X2
(the “**Owner**”)

And To: Charlie Ibironke Ejim
173 Rocky Ridge Close NW
Calgary Alberta
T3G 4X2
(the “**Owner**”)

And To: Joseph Jaguna
164 Everhollow Heights SW
Calgary Alberta
T2Y 5B3
(the “**Manager**”)

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

BASEMENT
5207 44 Ave NE
Calgary Alberta
T1Y 2Z9

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

BASEMENT
5207 44 Ave NE
Calgary Alberta
T1Y 2Z9

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. Openable area of the bedroom window is too small for emergency egress (13.5 x 32 Inches).
- b. Mould growth on the lower wall in bathroom sink cupboard.
- c. Mould growth on the lower wall in kitchen sink cupboard.
- d. Back entrance door leading to the basement has no weather stripping and is not weatherproof.
- e. No handrail on stairs leading to the basement.
- f. Bathroom fan does not work.

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. Openable area of the bedroom window is too small for emergency egress. This is a breach of the Minimum Housing and Health Standard, specifically section 3 (b).
- b. Mould growth on lower wall in the bathroom sink cupboard. This is a breach of the Housing Regulation specifically section 5(2) and Minimum Housing and Health Standards Specifically Section 5(a).
- c. Mould growth on lower wall in the kitchen sink cupboard. This is a breach of the Housing Regulation specifically section 5(2) and Minimum Housing and Health Standards Specifically Section 5(b).
- d. Back entrance door leading to the basement has no weather stripping and is not weatherproof. This is a breach of the Minimum Housing and Health Standards, specifically section 2 (b) (i).
- e. No handrail on stairs leading to the basement. This is a breach of the Minimum Housing and Health Standards, specifically section 3 (c).
- f. Bathroom fan does not work. This is a breach of the Minimum Housing and Health Standards, Specifically section 7 (c).

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 be **vacated no later than 8.00Am, on Thursday, the 24th day of February, 2011.**

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. Install a window in the bedrooms that meets the requirements of the Minimum Housing and Health Standards.
 - b. The room with no window is not to be used as a bedroom. This room can only be used as bedroom after a window that meets the requirements of the Minimum Housing Standards has been installed.
 - c. Cut out all mouldy materials from the lower wall of bathroom and kitchen sink cupboard. Identify and correct all sources of moisture contributing to mould growth. Ensure that the area is dry and replace with new material.
 - d. Install weatherstripping on the back entrance door leading to the basement and ensure that the door is weatherproof.
 - e. Install a handrail on stairs leading to the basement.
 - f. Ensure that the bathroom fan is working and is in good repair.

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.**

ORDER OF AN EXECUTIVE OFFICER

Re: Those premises located in Calgary, Alberta and municipally described as 5207 44 Avenue NE, Basement, Calgary, Alberta

Dated at Calgary, Alberta, this 24th day of February, 2011

Ayuk Eyong
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
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
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Strathmore

Public Health Building
650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
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www.calgaryhealthregion.ca/envhealth