

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

**To:** Benny Korytko  
157 Wedgewood Drive SW  
Calgary, Alberta T3C 3G9  
(the “**Owner**”)

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

BASEMENT SUITE - 8307 Bowness Road NW  
Calgary, Alberta

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

BASEMENT SUITE - 8307 Bowness Road NW  
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. There is no smoke alarm in the unit.
- b. The fridge is not in safe operating condition as a prong from the outlet has been cut off.
- c. The kitchen window is missing, leaving a gap directly to the outdoors.
- d. The openable area of the window in the bedroom on the left (as you walk into the bedroom area from the living room) is not large enough for emergency egress, measuring 18 inches by 20 inches.
- e. The interior pane of the window in the bedroom on the right (as you walk into the bedroom area from the living room) is a solid, non-removable piece of glass, thus impeding egress.
- f. The windows in both bedrooms are not weatherproof.
- g. The main door to the suite is not lockable or secure.
- h. The main door to the suite is not well weatherproofed.
- i. The bathroom floor and baseboards show signs of water damage and are in disrepair.
- j. The bathroom ceiling by the shower is water damaged and in disrepair.
- k. Sections of kitchen ceiling are bare, unfinished drywall.
- l. There is no ventilation fan or window in the bathroom.
- m. The living room window is only single pane.
- n. The cupboards in the kitchen are not secure to the floor or wall.

**ORDER OF AN EXECUTIVE OFFICER**

**Re: Those premises located in Calgary, Alberta and municipally described as 8307 Bowness Road NW, Calgary, Alberta**

- o. Several outlets are missing plate covers.
- p. Several windows are missing insect screens.
- q. The floor in the kitchen is patchy, bare concrete.
- r. The carpet in the living room is in disrepair and poses a tripping hazard where it borders the kitchen.

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. There is no smoke alarm in the unit. This is in contravention of the Minimum Housing and Health Standards, Section 12.
- b. The fridge is not in safe operating condition as a prong from the outlet has been cut off. This is in contravention of the Minimum Housing and Health Standards, Section 14(a)(iv).
- c. The kitchen window is missing, leaving a gap directly to the outdoors. This is in contravention of the Minimum Housing and Health Standards, Section 2(b).
- d. The openable area of the window in the bedroom on the left (as you walk into the bedroom area from the living room) is not large enough for emergency egress, measuring 18 inches by 20 inches. This is in contravention of the Minimum Housing and Health Standards, Section 3(b).
- e. The interior pane of the window in the bedroom on the right (as you walk into the bedroom area from the living room) is a solid, non-removable piece of glass, thus impeding egress. This is in contravention of the Minimum Housing and Health Standards, Section 3(b).
- f. The windows in both bedrooms are not weatherproof. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(i).
- g. The main door to the suite is not lockable or secure. This is in contravention of the Minimum Housing and Health Standards, Section 3(a).
- h. The main door to the suite is not well weatherproofed. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(i).
- i. The bathroom floor and baseboards show signs of water damage and are in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5(a).
- j. The bathroom ceiling by the shower is water damaged and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5(a).
- k. Sections of kitchen ceiling are bare, unfinished drywall. This is in contravention of the Minimum Housing and Health Standards, Section 5(b).
- l. There is no ventilation fan or window in the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 7(c).
- m. The living room window is only single pane. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(ii).
- n. The counter in the kitchen is not secure to the floor or wall. This is in contravention of the Minimum Housing and Health Standards, Section 14(a)(iii).
- o. Several outlets are missing plate covers. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- p. Several windows are missing insect screens. This is in contravention of the Minimum Housing and Health Standards, Section 2(b)(iii).
- q. The floor in the kitchen is patchy, bare concrete. This is in contravention of the

**ORDER OF AN EXECUTIVE OFFICER**

**Re: Those premises located in Calgary, Alberta and municipally described as 8307 Bowness Road NW, Calgary, Alberta**

- Minimum Housing and Health Standards, Section 5(b).
- r. The carpet in the living room is in disrepair and poses a tripping hazard where it borders the kitchen. This is in contravention of the Minimum Housing and Health Standards, Section 5.

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 4<sup>th</sup> day of April, 2011.

INACTIVE

ORDER OF AN EXECUTIVE OFFICER

Re: Those premises located in Calgary, Alberta and municipally described as 8307 Bowness Road NW, Calgary, Alberta

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 a fully functioning smoke alarm in the unit.
  - b. Repair or replace the fridge so that it is properly and safely operational.
  - c. Ensure all windows in rooms used for sleeping purposes meet egress requirements.
  - d. Repair all windows so that they are weatherproof, double paned, and are fitted with insect screens.
  - e. Ensure all windows and doors are lockable and secure.
  - f. Ensure all doors are weatherproofed.
  - g. Cut out water damaged sections and repair all floors, walls and ceilings in the kitchen and bathroom so that they are in good repair and non-absorbent.
  - h. Repair the kitchen counter so it is safe and secure.
  - i. Repair the living room carpet so it does not pose a tripping hazard.
  - j. Install a ventilation fan or window in the bathroom.
  - k. Cover all outlets with plate covers.
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 28<sup>th</sup> day of March, 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, 24<sup>th</sup> 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

**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

**ORDER OF AN EXECUTIVE OFFICER**

**Re: Those premises located in Calgary, Alberta and municipally described as 8307 Bowness Road NW, Calgary, Alberta**

Fax: 403-762-5570

**Claresholm**

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

**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  
Fax: 403-995-2639

**Strathmore**

Public Health Building  
650 Westchester Road  
Strathmore, AB T1P 1H8  
Phone: 403-361-7200  
Fax: 403-361-7244

[www.calgaryhealthregion.ca/envhealth](http://www.calgaryhealthregion.ca/envhealth)

INACTIVE