

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

**To: Kamelia Kostov  
(the “owner”)**

**And To: All Occupant(s) of the following Housing premises:  
1604 46 Street NW, Calgary, Alberta**

**RE: Those housing premises located in Calgary, Alberta and municipally described as:  
1604 46 Street NW, 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:

- a. Many electrical outlet cover plates, switch plate covers and the thermostat cover are missing.
- b. No smoke detector is installed on main floor outside of bedroom by bathroom.
- c. Floors throughout the house are in poor condition with carpets shredding, exposed tack-strips, peeling linoleum thresholds, and damaged linoleum flooring with holes and gashes.
- d. The bathroom window casing is rotten and the surrounding building products are likely rotten and mould infested behind the bathtub surround.
- e. The bathroom ceiling is mould infested and has peeling paint.
- f. The bathroom floor tiles do not join the bathtub, water has infiltrated the area and water damage can be observed on the basement ceiling below this area.
- g. The bathroom ceramic sink has many cracks in the bowl.
- h. There is mould growth observed in the bathroom along the sink and wall joint.
- i. The bathroom cabinets are in disrepair with broken pieces and mould growth on the interior of cabinet.
- j. The bathroom countertop is in disrepair with trim pieces missing and exposed raw wood.
- k. The bathtub surround is in poor condition with mould growth and poor application of caulking rendering it uncleanable.
- l. The bathroom window does not open to provide ventilation and there is no mechanical ventilation.
- m. The bathroom wall and tub joint is in poor condition with missing grout and damaged tiles.
- n. The kitchen cabinets are in poor condition with trim pieces falling off, rough edges, raw exposed wood and holes in the backs of cabinets.
- o. The kitchen countertop is in poor condition with chipped or missing corners and edges.
- p. The main level bedroom, by bathroom, has two windows where both do not lock.

- q. The main level bedroom, by bathroom, has plastic covering the larger window and prevents emergency egress and the smaller window does not meet the size requirements for emergency egress.
- r. Main floor bedroom, by the bathroom, has a wall that is water damaged under the west facing window. The window casing is also water damaged.
- s. The top level (small bedroom) window opening measures 11x19.5 inches.
- t. The top level (small bedroom) window does not have a lock mechanism.
- u. The top level (large bedroom) window does not have a lock mechanism.
- v. The master bedroom (upper-middle level) has a window with a lever style opening that impedes emergency egress.
- w. Live bedbugs infestation is observed in house.
- x. Large volumes of mice droppings are observed on main level and basement of house.
- y. Fruit fly infestation is observed in kitchen of house.
- z. There are large areas of mould on the drywall and other wood surfaces of the basement walls, stairwell walls and wood platform that the washer/dryer is sitting on. Exterior walls of basement cannot be viewed due to the large volumes of belongings, but it is suspected they have similar patterns of mould growth.
- aa. The top level bedroom skylight has leaked and caused water infiltration, likely mould growth and damage to the surrounding building products.
- bb. Holes observed on the exterior of the house, where vermin can enter.
- cc. The front door window is broken.
- dd. Most openable windows on the house are missing insect screens.
- ee. The back door has a hole where a deadbolt lock was located which is not weatherproof.
- ff. Many windows of the house are single pane or are missing window panes.
- gg. Due to the age of the building it is suspected that asbestos is contained in many of the building products.

**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. Many electrical outlet cover plates, switch plate covers and the thermostat cover are missing. This is a contravention of Section 11 of the Minimum Housing and Health Standards.
- b. No smoke detector is installed on main floor outside of bedroom by bathroom. This is a contravention of Section 12 of the Minimum Housing and Health Standards.
- c. Floors throughout the house are in poor condition with carpets shredding, exposed tack-strips, peeling linoleum thresholds, and damaged linoleum flooring with holes and gashes. This is a contravention of Sections 1 and 5 of the Minimum Housing and Health Standards.
- d. The bathroom window casing is rotten and the surrounding building products are likely rotten and mould infested behind the bathtub surround. This is a contravention of Sections 1 and 5 of the Minimum Housing and Health Standards.
- e. The bathroom ceiling is mould infested and has peeling paint. This is a contravention of Sections 1 and 5 of the Minimum Housing and Health Standards.
- f. The bathroom floor tiles do not join the bathtub, water has infiltrated the area and water damage can be observed on the basement ceiling below this area. This is a contravention of Sections 1 and 5 of the Minimum Housing and Health Standards.
- g. The bathroom ceramic sink has many cracks in the bowl. This is a contravention of Section 5 of the Minimum Housing and Health Standards.

- h. There is mould growth observed in the bathroom along the sink and wall joint. This is a contravention of Section 5 of the Minimum Housing and Health Standards.
- i. The bathroom cabinets are in disrepair with broken pieces and mould growth on the interior of cabinet. This is a contravention of Sections 1 and 5 of the Minimum Housing and Health Standards.
- j. The bathroom countertop is in disrepair with trim pieces missing and exposed raw wood. This is a contravention of Sections 1 and 5 of the Minimum Housing and Health Standards.
- k. The bathtub surround is in poor condition with mould growth and poor application of caulking rendering it uncleanable. This is a contravention of Sections 1 and 5 of the Minimum Housing and Health Standards.
- l. The bathroom window does not open to provide ventilation and there is no mechanical ventilation. This is a contravention of Section 7 of the Minimum Housing and Health Standards.
- m. The bathroom wall and tub joint is in poor condition with missing grout and damaged tiles. This is a contravention of Sections 1 and 5 of the Minimum Housing and Health Standards.
- n. The kitchen cabinets are in poor condition with trim pieces falling off, rough edges, raw exposed wood and holes in the backs of cabinets. This is a contravention of Sections 1 and 5 of the Minimum Housing and Health Standards.
- o. The kitchen countertop is in poor condition with chipped or missing corners and edges. This is a contravention of Sections 1 and 5 of the Minimum Housing and Health Standards.
- p. The main level bedroom, by bathroom, has two windows where both do not lock. This is a contravention of Section 3(a) of the Minimum Housing and Health Standards.
- q. The main level bedroom, by bathroom, has plastic covering the larger window and prevents emergency egress and the smaller window does not meet the size requirements for emergency egress. This is a contravention of Section 3(b) of the Minimum Housing and Health Standards.
- r. Main floor bedroom, by the bathroom, has a wall that is water damaged under the west facing window. The window casing is also water damaged. This is a contravention of Sections 1 and 5 of the Minimum Housing and Health Standards.
- s. The top level (small bedroom) window opening measures 11x19.5 inches. This is a contravention of Section 3(b) of the Minimum Housing and Health Standards.
- t. The top level (small bedroom) window does not have a lock mechanism. This is a contravention of Section 3(b) of the Minimum Housing and Health Standards.
- u. The top level (large bedroom) window does not have a lock mechanism. This is a contravention of Section 3(b) of the Minimum Housing and Health Standards.
- v. The master bedroom (upper-middle level) has a window with a lever style opening that impedes emergency egress. This is a contravention of Section 3(b) of the Minimum Housing and Health Standards.
- w. Live bedbugs infestation is observed in house. This is a contravention of Section 16 of the Minimum Housing and Health Standards.
- x. Large volumes of mice droppings are observed on main level and basement of house. This is a contravention of Section 16 of the Minimum Housing and Health Standards.
- y. Fruit fly infestation is observed in kitchen of house. This is a contravention of Section 16 of the Minimum Housing and Health Standards.
- z. There are large areas of mould on the drywall and other wood surfaces of the basement walls, stairwell walls and wood platform that the washer/dryer is sitting on. Exterior walls of basement cannot be viewed due to the large volumes of belongings, but it is suspected they have similar patterns of mould growth. This is a contravention of Sections 1 and 5 of the Minimum Housing and Health Standards, and Section 5(2) of the Alberta Housing Regulation.

- aa. The top level bedroom skylight has leaked and caused water infiltration, likely mould growth and damage to the surrounding building products. This is a contravention of Sections 1, 2(a) and 5 of the Minimum Housing and Health Standards, and Section 5(2) of the Alberta Housing Regulation.
- bb. Holes observed on the exterior of the house, where vermin can enter. This is a contravention of Sections 1 and 2(a) of the Minimum Housing and Health Standards, and Section 5(2) of the Alberta Housing Regulation.
- cc. The front door window is broken. This is a contravention of Section 2(b) of the Minimum Housing and Health Standards.
- dd. Most openable windows on the house are missing insect screens. This is a contravention of Section 2(b) of the Minimum Housing and Health Standards.
- ee. The back door has a hole where a deadbolt lock was located which is not weatherproof. This is a contravention of Section 1 and 2(b) of the Minimum Housing and Health Standards.
- ff. Many windows of the house are single pane or are missing window panes. This is a contravention of Sections 1 and 2(b) of the Minimum Housing and Health Standards.
- gg. Due to the age of the building it is suspected that asbestos is contained in many of the building products. This is a contravention of Section 5(2) of the Alberta 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**:

1. That the occupants vacate the above noted premises on or before February 01, 2012 at 8:00AM.
2. That the above noted premises be **secured from any and all unauthorized entry**.
3. 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:

Retain the services of an **Environmental Health or Indoor Air Quality Consultant** to:

- (i) assess the conditions within the above noted premises for water, mould damage and asbestos; and
- (ii) prepare for review by Alberta Health Services a detailed hazardous materials audit and management plan (mould and asbestos). **This must be submitted to this office for review prior to the initiation of any work being completed.**

**The Consultant should have current, active membership in a related professional organization or certifying body and shall be first approved in writing by Alberta Health Services.**

If asbestos is present; to demonstrate accountability, and in accordance to the *Alberta Occupational Health and Safety Code* (2009 – Part 4 – further referred to as *AB OH&S Code*) and the *Alberta Asbestos Abatement Manual* (July 2009 – further referred to as *AAAM*), the following must be documented:

- Post abatement visual inspection inside the work area enclosure to ensure that the asbestos containing materials are properly removed in accordance to the scope for remediation, the *AB OH&S Code*, and the *AAAM*.
  - Post abatement air clearance samples collected inside the work area enclosure.
4. Remove and replace all rotten, mould infested building products as noted in this document. This includes: bathtub surround, bathroom ceiling, wall beside tub and window casing, bathroom flooring, basement drywall, damaged drywall and insulation around the skylight and roof, wall and window casing in main floor bedroom, and any other location recommended by the Environmental Consultant. Any building products that cannot be removed must be cleaned or sanded to remove all mould residues.

Mould remediation is required in areas identified above with significant mould infestation. (Reference should be made to Mould Guidelines for the Canadian Construction Industry located at [www.cca-acc.com/mould/](http://www.cca-acc.com/mould/).) **Once all mouldy or damaged building products are removed an inspection is required prior to re-build or replacing the materials. Failure to have an inspection at this stage may result in the removal of the new materials to inspect the areas.**

5. Ensure that all electrical outlets and switch plate covers are installed and in good condition and replace the thermostat cover.
6. Install working smoke detectors as required under the Minimum Housing and Health Standards.
7. Repair or replace all flooring, walls and ceilings so they are in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders them easy to clean.
8. Ensure all openable windows have working lock mechanisms.
9. Ensure all openable windows are in good condition and double-paned. Ensure doors are in good working condition and are weatherproof. Ensure the skylight is repaired or removed and ensure the roof is weatherproof and does not leak.
10. All bedrooms must have an openable window that is a style that does not impede egress, and that meets the size requirements for emergency egress under the Minimum Housing and Health Standards.
11. Ensure all openable windows have tight fitting insect screens in good repair.
12. Replace or repair all kitchen and bathroom cabinets and countertops including the bathroom sink that have been observed with damages.
13. The bathroom window must be openable or ventilation fan vented to the exterior must be installed.
14. Professional pest control is required to eradicate all infestations as noted above. The exterior of the house must be inspected by the pest control operator and they must seal any areas of entry for rodents. Receipts are required to be provided to AHS.

15. 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, January 17, 2012

**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).*

*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)*

ORDER OF AN EXECUTIVE OFFICER – UNFIT FOR HUMAN HABITATION, ORDER TO VACATE  
Re: Those premises located in Calgary, Alberta and municipally described as 1604 46 Street NW

Confirmation of an oral order issued to Kamelia Kostov via a voicemail message on January 13, 2012 and during phone conversation with her on January 16, 2012.

Copy Occupants

---

**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)