

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

**To:** Navine Leung  
"the Owner"

**And To:** Andrew Chen  
"the Property Manager"

**And To:** All Occupant(s) of the following Housing premises: 19 Berwick Crescent NW

**RE:** Those housing premises located in Calgary, Alberta and municipally described as: 19 Berwick Crescent NW

**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 in any manner the prevention or suppression of disease, namely:

- a. Rooms 7, 8, 9, 10, 14 and 16 were found occupied despite an active Closed for Tenant Accommodation order in place for these rooms.
- b. Notices advising of the Closed for Tenant Accommodation order posted to the doors of rooms 4, 5, 7, 8, 9, 10, 13, 14, 15, 16, and 17 had been removed.
- c. An egress door shared by rooms 4 and 5 was boarded over with plywood.
- d. The window in room 8 had an openable area that measured 14.5 inches by 16.5 inches, which is too small for emergency egress. This room was being used for sleeping purposes.
- e. The window in room 8 was not able to be locked.
- f. The window in room 7 was obstructed by a wall. This room was being used for sleeping purposes.
- g. The window in room 9 had an openable area that measured 14.5 inches by 16.5 inches, which is too small for emergency egress. This room was being used for sleeping purposes.
- h. The window in room 9 was not able to be locked.
- i. There were no windows in rooms 10, 14, and 16. These rooms were being used for sleeping purposes.
- j. Mouse droppings were found throughout the house.
- k. There was no smoke alarm installed in the upstairs hallway between rooms 1, 2, and 3.
- l. There was no smoke alarm installed in the upstairs hallway between rooms 7, 8, and 9.
- m. There was no smoke alarm installed in the basement hallway between rooms 10, 11, and 12.
- n. There was no smoke alarm installed in the basement hallway between rooms 13, 14, 15, 16, and 17.

- o. There was no lighting in the basement hallway between rooms 13, 14, 15, 16, and 17.
- p. There were boxes, a mattress, and personal items stored right up against the furnace and hot water tank.
- q. The light switch in the upstairs laundry area was missing a cover.
- r. A light switch cover was missing from the switch in the upstairs hallway between rooms 1, 2, and 3.
- s. An electrical outlet cover was missing from the outlet in the upstairs hallway between rooms 1, 2, and 3.
- t. Some of the nosing on both sets of staircases was cracked.
- u. The wall between room 6 and the staircase was bare drywall.
- v. The walls in the upstairs kitchen were bare drywall.
- w. There was a missing floor vent cover in the upstairs kitchen below the sink.
- x. Caulking was missing along the bathtub in the upstairs bathroom.
- y. The ceiling vent cover in the basement bathroom was falling off.
- z. The basement bathroom fan was not secure to the ceiling and made a loud clunking sound when switched on.
- aa. The basement wall and ceiling in the hallway between rooms 13, 14, 15, 16, and 17 was bare drywall.
- bb. The flooring in the hallway between rooms 13, 14, 15, 16, and 17 was bare unfinished concrete.
- cc. Baseboards were missing in rooms 7, 13, 14, 15, 16, and 17.
- dd. There was a hole in the ceiling in the basement hallway between rooms 13, 14, 15, 16, and 17.
- ee. An insect screen was missing from the window in rooms 2, 3, 8, and 11.
- ff. An insect screen was missing from the window in both the upstairs kitchen and basement.

**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. Rooms 7, 8, 9, 10, 14 and 16 were found occupied despite an active Closed for Tenant Accommodation order in place for these rooms. This is in contravention of section 71 of the Public Health Act which states that: No person shall obstruct, molest, hinder, or interfere with a person in the execution of any duty imposed or in the exercise of any power conferred on the person by this Act or the regulations.
- b. Notices advising of the Closed for Tenant Accommodation order posted to the doors of rooms 4, 5, 7, 8, 9, 10, 13, 14, 15, 16, and 17 had been removed. This is in contravention of section 72 of the Public Health Act which states that: No person shall conceal, deface, destroy, or remove any notice posted for public information under this Act or the regulations.
- c. An egress door shared by rooms 4 and 5 was boarded over with plywood. This is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge.
- d. The window in room 8 had an openable area that measured 14.5 inches by 16.5 inches, which is too small for emergency egress. This room was being used for sleeping

- purposes. This room was being used for sleeping purposes. This is in contravention of section III(3)(b)(ii) of the Minimum Housing and Health Standards which states that: Windows referred to in section III(3)(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).
- e. The window in room 8 was not able to be locked. This is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
  - f. The window in room 7 was obstructed by a wall. This room was being used for sleeping purposes. This is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge.
  - g. The window in room 9 had an openable area that measured 14.5 inches by 16.5 inches, which is too small for emergency egress. This room was being used for sleeping purposes. This is in contravention of section III(3)(b)(ii) of the Minimum Housing and Health Standards which states that: Windows referred to in section III(3)(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).
  - h. The window in room 9 was not able to be locked. This is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
  - i. There were no windows in rooms 10, 14, and 16. These rooms were being used for sleeping purposes. This is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge.
  - j. Mouse droppings found throughout the house. This is in contravention of section V(16)(a) of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises are free of insect and rodent infestations.
  - k. There was no smoke alarm installed in the upstairs hallway between rooms 1, 2, and 3. This is in contravention of section IV(12) of the Minimum Housing and Health Standards which states that: Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway.
  - l. There was no smoke alarm installed in the upstairs hallway between rooms 7, 8, and 9. This is in contravention of section IV(12) of the Minimum Housing and Health Standards which states that: Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway.
  - m. There was no smoke alarm installed in the basement hallway between rooms 10, 11, and 12. This is in contravention of section IV(12) of the Minimum Housing and Health Standards which states that: Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway.
  - n. There was no smoke alarm installed in the basement hallway between rooms 13, 14, 15, 16, and 17. This is in contravention of section IV(12) of the Minimum Housing and Health Standards which states that: Smoke alarms within dwellings shall be installed between

- each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway.
- o. There was no lighting in the basement hallway between rooms 13, 14, 15, 16, and 17. This is in contravention of section IV(13) of the Minimum Housing and Health Standards which states that: Every public hallway and stairway in a housing premises with multiple dwellings shall be adequately lighted by natural or artificial light at all times, providing in all parts thereof at least 50 lux of light at each tread or floor level.
  - p. There were boxes, a mattress, and personal items stored right up against the furnace and hot water tank. This is in contravention of section 5(2) of the Housing Regulation which states that: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention of suppression of disease.
  - q. The light switch in the upstairs laundry area was missing a cover. This is in contravention of section IV(11) of the Minimum Housing and Health Standards which states that: Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
  - r. A light switch cover was missing from the switch in the upstairs hallway between rooms 1, 2, and 3. This is in contravention of section IV(11) of the Minimum Housing and Health Standards which states that: Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
  - s. An electrical outlet cover was missing from the outlet in the upstairs hallway between rooms 1, 2, and 3. This is in contravention of section IV(11) of the Minimum Housing and Health Standards which states that: Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
  - t. Some of the nosing on both sets of staircases was cracked. This is in contravention of section III(5) of the Minimum Housing and Health Standards which states that: All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
  - u. The wall between room 6 and the staircase was bare drywall. This is in contravention of section III(5) of the Minimum Housing and Health Standards which states that: All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
  - v. The walls in the upstairs kitchen were bare drywall. This is in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
  - w. There was a missing floor vent cover in the upstairs kitchen below the sink. This is in contravention of section III(5) of the Minimum Housing and Health Standards which states that: All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
  - x. Caulking was missing along the bathtub in the upstairs bathroom. This is in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a

- watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.
- y. The ceiling vent cover in the basement bathroom was falling off. This is in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.
  - z. The basement bathroom fan was not secure to the ceiling and made a loud clunking sound when switched on. This is in contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
  - aa. The basement wall and ceiling in the hallway between rooms 13, 14, 15, 16, and 17 was bare drywall. This is in contravention of section III(5) of the Minimum Housing and Health Standards which states that: All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
  - bb. The flooring in the hallway between rooms 13, 14, 15, 16, and 17 was bare unfinished concrete. This is in contravention of section III(5) of the Minimum Housing and Health Standards which states that: All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
  - cc. Baseboards were missing in rooms 7, 13, 14, 15, 16, and 17. This is in contravention of section III(5) of the Minimum Housing and Health Standards which states that: All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
  - dd. There was a hole in the ceiling in the basement hallway between rooms 13, 14, 15, 16, and 17. This is in contravention of section III(5) of the Minimum Housing and Health Standards which states that: All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
  - ee. An insect screen was missing from the window in rooms 2, 3, 8, and 11. This is in contravention of section III(2)(b)(iii) of the Minimum Housing and Health Standards which states that: During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.
  - ff. An insect screen was missing from the window in both the upstairs kitchen and basement. This is in contravention of section III(2)(b)(iii) of the Minimum Housing and Health Standards which states that: During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.

**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 in bedrooms 4, 5, 7, 8, 9, 10, 14, and 16 vacate the above noted premises immediately as per the Closed for Tenant Accommodation Order issued on January 11, 2023.
2. That the occupants in bedrooms 1, 2, 3, 6, 11, and 12 vacate the above noted premises on or before May 6, 2023.
3. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Install an openable window in rooms 4, 5, 7, 10, 14, and 16 that meets the requirements for emergency egress. The window must have an unobstructed openable area of at least 3.8 square feet, with no dimension less than 15 inches.
  - b. Install a bedroom window in rooms 8 and 9 that meets the requirements for emergency egress. The window must have an unobstructed openable area of at least 3.8 square feet, with no dimension less than 15 inches.
  - c. Ensure all openable windows are capable of being locked to protect from unauthorized entry.
  - d. Hire a professional pest control company to treat and eradicate the mouse infestation in the home. Provide documentation of the work completed to an Executive Officer of Alberta Health Services.
  - e. Clean and disinfect all areas affected by mouse droppings throughout the home.
  - f. Install properly functional smoke alarms in the hallways between bedrooms.
  - g. Install lighting that is at least 50 lux in the basement hallway between rooms 13, 14, 15, 16, and 17.
  - h. Remove the mattress, boxes, and personal items stored against the furnace and hot water tank. Refrain from storing items against the furnace and hot water tank.
  - i. Install a light switch cover in the upstairs laundry area.
  - j. Install a light switch cover in the upstairs hallway between rooms 1, 2, and 3.
  - k. Install a missing electrical outlet cover in the upstairs hallway between rooms 1, 2, and 3.
  - l. Repair or replace the cracked nosing on both sets of staircases.
  - m. Finish the wall between room 6 and the staircase.
  - n. Finish the wall in the upstairs kitchen.
  - o. Install a floor vent cover in the upstairs kitchen.
  - p. Caulk around the bathtub in the upstairs bathroom.
  - q. Secure the ceiling vent cover in the basement bathroom.
  - r. Repair the basement fan and ensure it is in good working condition. Secure the cover to the fan.
  - s. Finish the walls and ceiling in the basement hallway between rooms 13, 14, 15, 16, and 17.
  - t. Finish the flooring in the basement hallway between rooms 13, 14, 15, 16, and 17.
  - u. Install baseboards in rooms 13, 14, 15, 16, and 17.
  - v. Repair the hole and finish the ceiling in the basement hallway between rooms 13, 14, 15, 16, and 17.
  - w. Install missing insect screens in rooms 2, 3, 8 and 11.
  - x. Install missing insect screens on both kitchen windows.

4. 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, April 6, 2023, amending the Closed for Tenant Accommodation Order issued on January 11, 2023

Confirmation of a verbal order issued to Andrew Chen on April 5, 2023.

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 by submitting a Notice of Appeal form within ten (10) days after receiving the order to:

Public Health Appeal Board  
c/o Central Reception  
Main Floor, ATB Place North Tower  
10025 Jasper Avenue NW  
Edmonton, Alberta, T5J 1S6  
Phone: 780-222-5186  
Fax: 780-422-0914  
Email: [HealthAppealBoard@gov.ab.ca](mailto:HealthAppealBoard@gov.ab.ca)  
Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

A Notice of Appeal form may be obtained by contacting the Public Health Appeal Board or visiting their website.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Health Legislation and regulations are available for purchase. Please contact Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Template revised October 13, 2022

City of Calgary

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<https://www.ahs.ca/eph>

AMENDED