

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

To: Kiren Hans
"the Owner"

And To: All Occupant(s) of the following Housing premises:6608 Penbrooke Drive SE

RE: Those housing premises located in Calgary, Alberta and municipally described as:
6608 Penbrooke Drive SE, T2A 4S8

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. The furnace was disconnected and did not function. Temperatures in the home with one space heater running in the basement measured 18.0C on the main floor and 18.6C in the basement.
- b. Mouse droppings as well as a dead mouse were found in a main floor kitchen cupboard.
- c. The main floor washroom sink was plugged and did not drain.
- d. The basement smoke detector did not work as there was no battery installed.
- e. An electrical outlet on the west facing main floor bedroom and the basement utility room showed evidence of fire/burn out.
- f. The light fixtures for both the main floor and basement bedrooms did not function.
- g. Several electrical switch cover plates were missing throughout the home.
- h. The exterior back door next to the kitchen was entirely broken off it's hinges.
- i. The front main entry door frame is cracked in several areas.
- j. There were holes in the drywall adjacent to the main floor kitchen.
- k. There was a hole in one of the main floor bedroom doors.
- l. The floor transition strip between the kitchen and living area in the basement was damaged.

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. The furnace was disconnected and did not function. Temperatures in the home with one space heater running in the basement measured 18.0C on the main floor and 18.6C in the basement. This is in contravention of section IV8(a)(i) of the Minimum Housing and Health Standards which states that "All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and

adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of at least 22 degrees Celsius.”

- b. Mouse droppings as well as a dead mouse were found in a main floor kitchen cupboard. This is in contravention of section V16(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.”
- c. The main floor washroom sink was plugged and did not drain. This is in contravention of section IV6(a) of the Minimum Housing and Health Standards which states that “The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pump out sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
- d. The basement smoke detector did not work as there was no battery installed. This is in contravention of section IV12(a) of the Minimum Housing and Health Standards which states that “Smoke alarms shall be operational and in good repair at all times.”
- e. An electrical outlet on the west facing main floor bedroom, and the basement utility room showed evidence of fire/burn out. This is in contravention of section IV11 of the Minimum Housing and Health Standards which states that “Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”
- f. The light fixtures for both the main floor and basement bedrooms did not function. This is in contravention of section IV11 of the Minimum Housing and Health Standards which states that “Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”
- g. Several electrical switch cover plates were missing throughout the home. This is in contravention of section IV11 of the Minimum Housing and Health Standards which states that “Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”
- h. The exterior back door next to the kitchen was entirely broken off it’s hinges. This is in contravention of section III2(b)(i) of the Minimum Housing and Health Standards which states that “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- i. The front main entry door frame is cracked in several areas. This is in contravention of section III2(b)(i) of the Minimum Housing and Health Standards which states that “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- j. There were holes in the drywall adjacent to the main floor kitchen. This is in contravention of section III5 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.”
- k. There was a hole in one of the main floor bedroom doors. This is in contravention of section III5 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.”
- l. The floor transition strip between the kitchen and living area in the basement was damaged. This is in contravention of section III5 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.”

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 November 24th, 2023.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Repair or replace the furnace to ensure the dwelling is supplied with a primary heat source that is capable of maintaining the temperature in the home at a minimum of 22 degrees Celsius.
 - b. Hire a licensed pest control provider to eliminate the mouse infestation and provide documentation of the pest control work completed in the dwelling to an Executive Officer with Alberta Health Services.
 - c. Clean up the mouse droppings and dead mice in the dwelling.
 - d. Unblock the main floor washroom sink drain so that it drains as intended.
 - e. Ensure the basement smoke detector is functional.
 - f. Hire an electrician to perform an assessment of the dwelling for electrical safety and repair damaged fixtures as necessary. Provide the report to an Executive Officer with Alberta Health Services.
 - g. Install electrical switch/outlet covers where missing.
 - h. Repair or replace the exterior back door.
 - i. Repair and refinish the front main door frame.
 - j. Repair and refinish the holes in the drywall adjacent to the kitchen.
 - k. Repair and refinish the hole in the bedroom door.
 - l. Replace the damaged transition strip between the basement kitchen and living area.
3. 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, November 23, 2023.

Confirmation of a verbal order issued to Kiren Hans on November 23, 2023.

Executive Officer
Alberta Health Services

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
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>

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