

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

To: Wael Hammoud
"the Owner"

And To: Samer Hammoud
"the Owner"

And To: All Occupant(s) of the following Housing premises:
517 Rundleville Place NE - basement

RE: Those housing premises located in Calgary, Alberta and municipally described as: 517 Rundleville Place NE - basement

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 openable area of the window in the northeast bedroom measured 10 inches by 13 inches.
- b. The openable area of the window in the southeast bedroom measured 10 inches by 13 inches.
- c. There was no smoke alarm in the basement.
- d. There was no handrail along the staircase between the rear door and the basement.
- e. The base shelf in the cupboard under the kitchen sink was water damaged.
- f. The door on the kitchen cupboard under the sink was missing.
- g. Electrical outlet covers were missing from outlets in the living room.
- h. Baseboards along the hallway outside of the washroom were water damaged.
- i. Insect screens were missing from over the living room windows.
- j. An insect screen was missing from over the window in the southeast bedroom.

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 openable area of the window in the northeast bedroom measured 10 inches by 13 inches. 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, and 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 m² (3.8ft²), with no dimension less than 380 mm (15”).

- b. The openable area of the window in the southeast bedroom measured 10 inches by 13 inches. 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, and 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 m² (3.8ft²), with no dimension less than 380 mm (15”).
- c. There was no smoke alarm in the basement. 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.
- d. There was no handrail along the staircase between the rear door and the basement. This is in contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.
- e. The base shelf in the cupboard under the kitchen sink was water damaged. This is in contravention of section 3(1)(a)(iii) of the Housing Regulation, 2001 which states that: Subject to subsection (3) and section 4, an owner shall ensure that the housing premises are in good repair.
- f. The door on the kitchen cupboard under the sink was missing. This is in contravention of section 3(1)(a)(iii) of the Housing Regulation, 2001 which states that: Subject to subsection (3) and section 4, an owner shall ensure that the housing premises are in good repair.
- g. Electrical outlet covers were missing from outlets in the living room. 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.
- h. Baseboards along the hallway outside of the washroom were water damaged. This is in contravention of section III(1)(c) of the Minimum Housing and Health Standards which states that: Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- i. Insect screens were missing from over the living room windows. 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.
- j. An insect screen was missing from over the window in the southeast bedroom. 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 vacate the above noted premises immediately.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in an about the above noted premises, namely:
 - a. Replace the window in the northeast bedroom with one that meets egress requirements set out in the Minimum Housing and Health Standards. Alternately, refrain from allowing the use of this room as a bedroom.
 - b. Replace the window in the southeast bedroom with one that meets egress requirements set out in the Minimum Housing and Health Standards. Alternately, refrain from allowing the use of this room as a bedroom.
 - c. Install an operational smoke alarm in the basement.
 - d. Install a handrail along the staircase between the rear door and the basement.
 - e. Replace the base shelf in cupboard under the kitchen sink with one that is in good repair.
 - f. Install a door over the cupboard under the kitchen sink.
 - g. Install plate covers over all electrical outlets.
 - h. Replace water damaged baseboard.
 - i. Install insect screens over all openable windows.
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 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, May 30, 2018.

Confirmation of a verbal order issued to owner Samer Hammoud by phone on May 28, 2018, and to tenant/property manager Kelly Dwyer in person on May 28, 2018.

Daria Romanish, 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 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: <http://www.health.alberta.ca/about/PHAB.html>

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

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.

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.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: www.health.alberta.ca/about/health-legislation.html

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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 Health Unit

5221 2nd 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