

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

To: **Shanti Ranjon Acharjee**
"the Owner"

And

Samiran Roy
"the Property Manager"

And To: All Occupant(s) of the following Housing premises: 3028 33A Avenue SE - Basement

RE: Those housing premises located in Calgary, Alberta and municipally described as: 3028 33A Avenue SE - 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. There was a cockroach infestation in this unit.
- b. There was a sewage back up from the floor drain in the kitchen area.
- c. The entrance door for this suite lacked a door handle and a lock.
- d. There was a damaged light fixture hanging from the ceiling by its wires in the bar area near the living room.
- e. The kitchen sink was leaking. A bucket was being used to collect the dripping water in the cupboard under the sink.
- f. The base of the cupboard under the kitchen sink was water damaged. It was stained and warped.
- g. There was a large hole in the back of the cupboard under the kitchen sink. The hole exposed insulation.
- h. The shower head was broken. Fabric was tied around the base of the showerhead to prevent water from spraying over the washroom.
- i. The flooring in the living room and hallway has been removed and bare concrete was exposed.
- j. The laminate flooring in both bedrooms was warped and separating. There were gaps between many of the boards.
- k. Transition bars were missing from the floor in several locations throughout the suite. This created gaps which exposed concrete in areas where the type of flooring material changes.

- l. The ceiling in the washroom was damaged. The finish was chipping and falling off, and there was some water staining.
- m. A wall in the washroom was damaged. Drywall had been cut away to expose the drain cleanout.
- n. The wall in the north bedroom was damaged. The paint had bubbled and cracked and there were two large holes in the drywall.
- o. There was wall damage and broken mirrors in the bar area near the living room.
- p. The handrail along the stairs to the basement was broken.

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. There was a cockroach infestation in this unit. 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.
- b. There was a sewage back up from the floor drain in the kitchen area. This is in contravention of section IV(6)(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, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
- c. The entrance door for this suite lacked a door handle and a lock. 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.
- d. There was a damaged light fixture hanging from the ceiling by its wires in the bar area near the living room. This 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.
- e. The kitchen sink was leaking. A bucket was being used to collect the dripping water in the cupboard under the sink. This is in contravention of section IV(6)(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, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
- f. The base of the cupboard under the kitchen sink was water damaged. It was stained and warped. This is in contravention of section IV(14)(a)(ii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: cupboards or other facilities suitable for the storage of food.
- g. There was a large hole in the back of the cupboard under the kitchen sink. The hole exposed insulation. This is in contravention of section IV(14)(a)(ii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: cupboards or other facilities suitable for the storage of food.
- h. The shower head was broken. Fabric was tied around the base of the showerhead to prevent water from spraying all over the washroom. This is in contravention of section

IV(6)(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, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.

- i. The flooring in the living room and hallway has been removed and bare concrete was exposed. 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.
- j. The laminate flooring in both bedrooms was warped and separating. There were gaps between many of the boards. 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.
- k. Transition bars were missing from the floor in several locations throughout the suite. This created gaps which exposed concrete in areas where the type of flooring material changes. 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.
- l. The ceiling in the washroom was damaged. The finish was chipping and falling off, and there was some water staining. 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.
- m. A wall in the washroom was damaged. Drywall had been cut away to expose the drain cleanout. 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.
- n. The wall in the north bedroom was damaged. The paint had bubbled and cracked and there were two large holes in the 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.
- o. There was some wall damage and broken mirrors in the bar area near the living room. 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.
- p. The handrail along the stairs to the basement was broken. 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.

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 on or before April 7, 2017.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Contract the services of a professional pest control company to inspect and treat the entire house for cockroaches. Eradicate the infestation. Provide copies of all invoices or reports from the pest control operator to an Executive Officer with Alberta Health Services.
 - b. Have the plumbing system inspected by a professional plumber. Make repairs as per their recommendations. Ensure that there will be no further sewage backups. Provide copies of all invoices or reports from the plumber to an Executive Officer with Alberta Health Services. If the plumbing system has already been serviced, provide this documentation to an Executive Officer with Alberta Health Services.
 - c. Install a door handle and a lock on the entrance door.
 - d. Repair the light fixture in the bar area near the living room and ensure it is in safe working condition.
 - e. Repair the kitchen sink and ensure there are no further leaks.
 - f. Replace the base of the cupboard under the kitchen sink.
 - g. Cover the hole at the back of the cupboard under the kitchen sink and ensure it is properly finished. The cupboard must be entirely smooth, non-absorbent to water, and easily cleanable,
 - h. Repair or replace the shower head.
 - i. Install flooring in the living room and hallway areas.
 - j. Replace the warped and damaged flooring in the bedrooms.
 - k. Install transition bars throughout the suite in areas where the type of flooring material changes. Ensure there are no gaps in the flooring where concrete would be exposed.
 - l. Determine the source of the water damage and correct this. Repair and re-finish the washroom ceiling.
 - m. Repair and re-finish the wall in the washroom. Install an access panel where the drain cleanout is located if access to this area is required.
 - n. Repair and re-finish the walls in the north bedroom.
 - o. Remove, or replace the broken mirrors on the wall in the bar area near the living room. Repair and re-finish the walls.
 - p. Repair the handrail along the stairs to the basement.
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.

4. All work listed in paragraph 2 above must be completed to the satisfaction of an Executive Officer of Alberta Health Services by **June 30, 2017**.

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 10, 2017
Confirmation of a verbal order issued to Samiran (Sam) Roy on April 6, 2017.

Erin McKenna, BSC, BEH(AD), 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, Telus Plaza 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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