

**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 – Main Floor

**RE:** Those housing premises located in Calgary, Alberta and municipally described as: 3028 33A Avenue SE – Main Floor

**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 no stove in the kitchen.
- b. There was a cockroach infestation in this property.
- c. There was a large hole in the tub surround which was covered by a piece of plastic and tape. Pieces of broken tiles were scattered in the bath tub.
- d. The caulking around the bath tub was cracking and mouldy.
- e. The washroom floor tiles were cracked and in poor condition.
- f. There was a gap in the flooring near the entrance of the washroom where a transition bar should be.
- g. The laminate flooring throughout the living room, dining room, and hall was in poor condition. Many of the boards appeared to have been water damaged as they were warped and the finish was peeling and chipped off in several places.
- h. The kitchen cupboards were missing two drawers.
- i. There was a gap around a ducting hose which enters the wall above the kitchen cupboards.
- j. There was an open hole in the wall above the ventilation hood in the kitchen.
- k. The washroom ventilation fan was not operational. The cover was missing and part of the mechanism was hanging down from the ceiling by electrical wires.
- l. There were several windows without insect screens.
- m. The weather stripping around the back door was in very poor condition. Daylight can be seen through these gaps from the interior of the building when the door is closed.

**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 no stove in the kitchen. This is in contravention of section IV(14)(a)(iv) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and proper operating condition.
- b. There was a cockroach infestation in this property. 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.
- c. There was a large hole in the tub surround which was covered by a piece of plastic and tape. Pieces of broken tiles were scattered in the bath tub. 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.
- d. The caulking around the bath tub was cracking and mouldy. 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.
- e. The washroom floor tiles were cracked and in poor condition. 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.
- f. There was a gap in the flooring near the entrance of the washroom where a transition bar should be. 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.
- g. The laminate flooring throughout the living room, dining room, and hall was in poor condition. Many of the boards appeared to have been water damaged as they were warped and the finish was peeling and chipped off in several places. 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.
- h. The kitchen cupboards were missing two drawers. 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.
- i. There was a gap around a ducting hose which enters the wall above the kitchen cupboards. 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. There was an open hole in the wall above the ventilation hood in the kitchen. 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. The washroom ventilation fan was not operational. The cover was missing and part of the mechanism was hanging down from the ceiling by electrical wires. 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.
  - l. There were several windows without insect screens. 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.
  - m. The weather stripping around the back door was in very poor condition. Daylight can be seen through these gaps from the interior of the building when the door is closed. This is in contravention of section III(2)(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.

**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 13, 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. Install a stove.
  - b. 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.
  - c. Repair the tub surround and re-finish the area. Ensure it is completely sealed, smooth, easy to clean, and impervious to moisture.
  - d. Remove old caulking and re-caulk around the bath tub.
  - e. Replace the broken floor tiles and ensure the floor is in good repair, free of cracks, holes, loose or lifting coverings and is in a condition that renders it easy to clean.
  - f. Replace the missing transition bar. Ensure there are no gaps in the flooring where concrete would be exposed.
  - g. Replace the damaged flooring in the living room, dining room, and hallway. Ensure that the flooring is in good repair, free of cracks, holes, loose or lifting coverings and is in a condition that renders it easy to clean.

- h. Replace the missing drawers.
  - i. Ensure the ducting is properly venting to the exterior of the building. Seal up the gap around the hose.
  - j. Cover the open hole in the wall and re-finish the area.
  - k. Repair or replace the washroom ventilation fan.
  - l. Ensure all openable windows have tight-fitting insect screens.
  - m. Replace the weather stripping around the back door. Ensure the door is weatherproof and there are no gaps between the door and the door frame.
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 **July 10, 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 12, 2017

Confirmation of a verbal order issued to Samiran (Sam) Roy on April 10, 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](mailto: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](http://www.qp.gov.ab.ca).

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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](http://www.health.alberta.ca/about/health-legislation.html)

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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)