

ORDER OF AN EXECUTIVE OFFICER

To: James T F Lee
"the Owner"

And To: All Occupant(s) of the following Housing premises:

RE: Those housing premises located in Calgary, Alberta and municipally described as: 623
69 Avenue SW Unit B

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 bathroom counter caulking was cracked and embedded with dirt, rust, and mould.
- b. The bathroom fan cover was missing and the fan may not be drawing air adequately.
- c. Surface mould was observed on the bathroom wall and ceiling.
- d. The kitchen window lock was non-functional, resulting in the window not being lockable.
- e. The left basement bedroom window could not be opened.
- f. The right basement bedroom window measured approximately 16 inches by 23 inches, which does not meet emergency egress requirements.
- g. Smoke alarms were not operational.
- h. The kitchen window insect screen was not tight fitting, exposing large gaps where insects could enter.
- i. Basement bedroom window was missing an insect screen.
- j. The side exterior storm door insect screen was torn.
- k. The caulking around the living room window was cracked, resulting in an improper seal.
- l. The kickplate along the bottom of the kitchen cabinets was water damaged and peeling off.
- m. Pooling water and lint/dirt were observed next to the washing machine and hot water tank, indicating a leak or back-up.

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 bathroom counter caulking was cracked and embedded with dirt, rust, and mould. 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.

- b. The bathroom fan cover was missing and the fan may not be drawing air adequately. 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.
- c. Surface mould was observed on the bathroom wall and ceiling g. This is in contravention of section 5(2) of the Housing Regulation, 2001 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 or suppression of disease.
- d. The kitchen window lock was non-functional, resulting in the window not being lockable. 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.
- e. The kitchen window lock was non-functional, resulting in the window not being lockable. 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.
- f. The right basement bedroom window measured approximately 16 inches by 23 inches, which does not meet emergency egress requirements. This is in contravention of section III(3)(b)(ii) of the Minimum Housing and Health Standards which states that: Windows referred to 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”).
- g. Smoke alarms were not operational. This is in contravention of section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.
- h. The kitchen window insect screen was not tight fitting, exposing large gaps where insects could enter. 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.
- i. Basement bedroom window was missing an insect screen. 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. The side exterior storm door insect screen was torn. 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.
- k. The caulking around the living room window was cracked, resulting in an improper seal. 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.
- l. The kickplate along the bottom of the kitchen cabinets was water damaged and peeling off. 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.

- m. Pooling water and lint/dirt were observed next to the washing machine and hot water tank, indicating a leak or back-up. 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.

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 Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Replace bathroom counter caulking.
 - b. Install a cover over the bathroom fan and ensure fan is sufficiently drawing air.
 - c. Clean the mould from bathroom ceiling and walls, then repaint. Ensure the bathroom fan is drawing enough air to adequately remove moisture.
 - d. Repair or replace kitchen window lock.
 - e. Install a window in the left basement bedroom that meets emergency egress requirements as listed in the Minimum Housing and Health Standards.
 - f. Replace the right basement bedroom window so that it meets emergency egress requirements as listed in the Minimum Housing and Health Standards.
 - g. Repair or replace smoke alarms near bedrooms.
 - h. Repair kitchen window screen so it is tight fitting.
 - i. Install an insect screen over the basement bedroom window.
 - j. Repair the side exterior storm door insect screen, or remove the storm door altogether.
 - k. Replace the caulking or seal around the living room window.
 - l. Repair or replace the kickplate in the kitchen.
 - m. Find and eliminate the source of pooling water in the utility room.

2. That until such time as the work referred to above is completed by March 15, 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, February 1, 2017

George Johnson, 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