

## ORDER OF AN EXECUTIVE OFFICER

**To:** James T F Lee  
"the Owner"

**RE:** Those housing premises located in Calgary, Alberta and municipally described as:  
627 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 basement bedroom window measured approximately 16 inches by 23 inches, which does not meet emergency egress requirements.
- b. The kitchen window lock was non-functional, resulting in the window not being lockable.
- c. The kitchen window was missing storm panes.
- d. The bottom surface of the kitchen sink base cabinet was water damaged and deteriorating.
- e. The silicone around the living room window was cracked and shriveled resulting in an improper seal.
- f. The utility room floor had sewage residue around the drain indicating the plumbing was not in good working order.
- g. The basement bathroom shower surround had dry and cracked silicone that was discoloured and mouldy, and the bottom plastic part of the shower surround was not sealable.
- h. The basement bathroom fan was not operational.
- i. The basement bathroom vent was missing a cover.
- j. The upper bathroom tub surround tiles were bulging, cracked, and had mould growth in the grout. Water was infiltrating behind the tiles causing mould growth on the drywall behind the tub surround.

**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 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 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15").
- b. 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.

- c. The kitchen window was missing storm panes. This is in contravention of section III(2)(b)(ii) of the Minimum Housing and Health Standards which states that: In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.
- d. The bottom surface of the kitchen sink base cabinet was water damaged and deteriorating. 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.
- e. The silicone around the living room window was cracked and shriveled resulting in an improper seal. This is 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.
- f. The utility room floor had sewage residue around the drain indicating the plumbing was not in good working order. This is 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.
- g. The basement bathroom shower surround had dry and cracked silicone that was discoloured and mouldy, and the bottom plastic part of the shower surround was not sealable. This is 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.
- h. The basement bathroom fan was not operational. This is 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.
- i. The basement bathroom vent was missing a cover. This is 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.
- j. The upper bathroom tub surround tiles were bulging, cracked, and had mould growth in the grout. Water was infiltrating behind the tiles causing mould growth on the drywall behind the tub surround. This is 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.

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. Install a basement bedroom window that it meets the emergency egress requirements listed in the Minimum Housing and Health Standards.
- b. Repair or replace the lock on the kitchen window.
- c. Install storm panes on the kitchen window.
- d. Replace the bottom surface of the kitchen sink base cabinet.
- e. Strip and replace the silicone around the living room window.
- f. Hire a certified plumber to inspect the floor drain and make any necessary repairs.
- g. Replace the basement shower surround.
- h. Repair or replace the basement bathroom fan.
- i. Install a cover over the basement bathroom vent.
- j. Remove the upper bathroom tub surround tiles, and remove and replace any affected drywall. Contact an Executive Officer of Alberta Health Services for an inspection of this area prior to proceeding with installing a new tub surround.

2. The work referred to in paragraph 1 shall be 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  
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, 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.

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)