

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

To: James T F Lee
"the Owner"

And To: All Occupant(s) of the following Housing premises:
643 69 Avenue SW – Unit A

RE: Those housing premises located in Calgary, Alberta and municipally described as:
643 69 Avenue SW – Unit A

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 rear basement bedroom window measured approximately 16 inches by 23 inches, which does not meet emergency egress requirements listed in the Minimum Housing and Health Standards.
- b. The utility room was being used as a bedroom, but lacked an openable window, which does not meet emergency egress requirements listed in the Minimum Housing and Health Standards.
- c. Water staining was evident on the ceiling in the hall outside the bathroom.
- d. The bathroom fan was making a loud metal grinding sound.
- e. A switch cover was missing from the light in the utility room.
- f. There were loose wires dangling and exposed in the utility room outside the bedroom door.
- g. All openable windows were missing insect screens.

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 rear basement bedroom window measured approximately 16 inches by 23 inches, which does not meet emergency egress requirements listed in the Minimum Housing and Health Standards. 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. This is also 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”).
- b. The utility room was being used as a bedroom, but lacked an openable window, which does not meet emergency egress requirements listed in the Minimum Housing and Health Standards. 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. This is also 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”).
 - c. Water staining was evident on the ceiling in the hall outside the bathroom. 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.
 - d. The bathroom fan was making a loud metal grinding sound. 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.
 - e. A switch cover was missing from the light in the utility 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.
 - f. There were loose wires dangling and exposed in the utility room outside the bedroom door. 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.
 - g. All openable windows were missing 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.

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 February 1, 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. Replace the rear basement bedroom window so that it meets the emergency egress requirements of the Minimum Housing and Health Standards.
 - b. If the utility room will be used as a bedroom, install a window that meets the emergency egress requirements of the Minimum Housing and Health Standards. Alternately, remove the beds from the utility room, sign a Room Restriction Agreement document, and return this signed document to an Executive Officer of Alberta Health Services.
 - c. Repair or replace the roof and ensure there is no longer any water infiltration into the building. Remove water damaged building materials and replace with new materials.
 - d. Repair the bathroom fan.
 - e. Install a cover on the light switch in the utility room.
 - f. Properly remove or cap the loose and dangling wires in the utility room outside the bedroom door.
 - g. Install insect screens on 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.
4. All work listed in paragraph 2 above must be completed to the satisfaction of an Executive Officer of Alberta Health Services 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

Melody Lee, 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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