

**ORDER OF AN EXECUTIVE OFFICER
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE**

To: Chick Mei Mah
"the owner"

And To: All Occupant(s) of the following Housing premises: 105 29 Avenue NW – Unit 203

RE: Those housing premises located in Calgary, Alberta and municipally described as:
105 29 Avenue NW – Unit 203

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 the prevention or suppression of disease, namely:

- a. The entire living room ceiling is caving in due to a previous roof leak. It is being held in place by screws and a metal plate.
- b. There are several large cracks in the entry way, hallway, and kitchen.
- c. There are water damage marks on the ceiling inside the storage room in the bedroom.
- d. The caulking around the bathtub is mouldy.
- e. The kitchen counter siding is cracked exposing bare wood.

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 entire living room ceiling is caving in due to a previous roof leak. It is being held in place by screws and a metal plate. This is in contravention of section III(1)(c) of the Minimum Housing and Health Standards which states that: Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- b. There are several large cracks in the entry way, hallway, and 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.
- c. There are water damage marks on the ceiling inside the storage room in the bedroom. 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 caulking around the bathtub is mouldy. 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.

- e. The kitchen counter siding is cracked exposing bare wood. This is in contravention of section IV(14)(a)(iii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; and

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Unfit for Human Habitation**.

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. Hire a professional roofer to assess and repair the roof. Documentation must be provided to an Executive Officer of Alberta Health Services.
 - b. Due to the age of the building, test the building materials for asbestos prior to removing any ceilings. If asbestos is found, take all necessary precautions when carrying out remediation.
 - c. Remove and dispose of all water damaged building materials, including insulation, from the living room, hallway, kitchen, and bedroom. Assess joists, framing, rafters and all other exposed materials for water damage and mould.
 - d. Replace the caulking along the bathtub.
 - e. Replace the kitchen counter siding.
2. 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 vacant and secure from unauthorized entry.
3. All work listed in paragraph 2 above must be completed to the satisfaction of an Executive Officer of Alberta Health Services by **June 18, 2014**

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 11, 2014

Melody Wong, 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 within ten (10) days after receiving the order to the Public Health Appeal Board located at Reception, Main Floor. Telus Plaza, 10025 Jasper Avenue, Edmonton, Alberta, T5J 1S6, Telephone 780-427-2813 Fax 780-422-0914.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or the Public Health Appeal Board 780-427-2813.

You are advised that all orders remain in effect pending such an appeal

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

AIRDRIE Regional Health Centre
604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
Fax: 403-912-8410

BANFF Health Unit
303 Lynx Street
PO Box 1266
Banff, AB T1L 1B3
Phone:403-762-2990
Fax: 403-762-5570

CALGARY - Southport Atrium
10101 Southport Road SW
Calgary, AB T2W 3N2
Phone:403-943-2288
Fax: 403-943-8056

CANMORE Public Health
#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
Fax: 403-678-5068

CLARESHOLM Health Unit
5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403 625-4061
Fax: 403-625-4062

COCHRANE Community Health Centre
60 Grande Boulevard
Cochrane, AB T4C 0S4 Phone:
403-851-6000
Fax:403- 851-6009

OKOTOKS Health and Wellness Centre
11 Cimarron Common
Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

STRATHMORE Public Health Office
650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244

www.albertahealthservices.ca/eph.asp