

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

To: Paul Cater
"the owner"

And To: All Occupant(s) of the following Housing premises:
179 Manora Hill NE - Basement.

RE: Those housing premises located in Calgary, Alberta and municipally described as:
179 Manora Hill NE - Basement.

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:

Common:

- a. There was no handrail along the staircase leading into the main floor.

Suite 1:

- b. There were missing ceiling tiles in the bonus room.
- c. Surface mould was observed under the kitchen sink.
- d. There was no suitable egress window in this suite.
- e. There was no smoke alarm in the unit.
- f. The kitchen window was missing a pane of glass.

Suite 2:

- g. The door trim and the door to this unit were cracked and in disrepair.
- h. There was no window for egress in this unit.
- i. There was no smoke alarm in the unit.

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:

Common:

- a. There was no handrail along the staircase leading into the main floor. This is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.

Suite 1:

- b. There were missing ceiling tiles in the bonus room. 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 was no suitable egress window in this suite. This is a contravention of section III(3)(b) 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 and section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
- d. There was no smoke alarm in the unit. This is a contravention of section IV(12) of the Minimum Housing and Health Standards which states that: Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway.
- e. The kitchen window was missing a pane of glass. This is a 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.

Suite 2:

- f. The door trim and the door to this unit were cracked and in disrepair. 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. There was no window for egress in this unit. This is a contravention of section III(3)(b) 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 and section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
- h. There was no smoke alarm in the unit. This is a contravention of section IV(12) of the Minimum Housing and Health Standards which states that: Smoke alarms within dwellings

shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway.

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:

Common:

- a. Install handrail along the staircase leading to the main floor.

Suite 1:

- b. Replace missing ceiling tiles in the bonus room.
- c. Remove all mouldy material under the kitchen sink and replace with new building material that is smooth, easily cleanable, and impervious to moisture.
- d. Install new bedroom window so that it meets all requirements of Section 3 of the Minimum Housing and Health Standards.
- e. Install a fully functional smoke alarm near the bedrooms.
- f. Install another pane of glass over the kitchen window.

Suite 2:

- g. Replace or repair damaged door trim and door.
 - h. Remove propane tank from inside the property.
 - i. Install new bedroom window so that it meets all requirements of Section 3 of the Minimum Housing and Health Standards, or do not allow sleeping in this area and provide written documentation to this office.
 - j. Install a fully functional smoke alarm near the bedrooms.
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. The work referred to in paragraph 1 shall be completed by October 31, 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, August 14, 2014

Confirmation of a verbal order issued to Paul Cater, on August 12, 2014.

Rikkie Ma, 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

Order of an Executive Officer – Unfit for Human Habitation - Order to Vacate

RE: The premises located in Calgary, Alberta and municipally described as: 179 Manora Hill NE - Basement

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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