

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

To: Abid Khan
"the Owner"

And To: All Occupant(s) of the following Housing premises: 424 Memorial Drive NW – Unit A and Unit B

RE: Those housing premises located in Calgary, Alberta and municipally described as: 424 Memorial Drive NW – Unit A and 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:

Unit A:

- a. There is no stove within the unit as directed by City of Calgary (Calgary Building Services Planning & Development). The occupant has no access to a common kitchen from a public corridor without going outside of the building.
- b. The openable area of the bedroom windows are too small to meet egress requirements.
- c. The middle living room window is cracked across the pane.
- d. There is no handrail along the interior staircase.
- e. Many windows are single pane (not weather proof).

Unit B:

- a. There is no stove within the unit as directed by City of Calgary (Calgary Building Services Planning & Development). The occupant has no access to a common kitchen from a public corridor without going outside of the building.
- b. The lock is broken on the living room window.
- c. The living room window is single pane (not weather proof).

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:

Unit A:

- a. There is no stove within the unit directed by City of Calgary (Calgary Building Services Planning & Development). The occupant has no access to a common kitchen from a public corridor without going outside of the building. This contravenes section IV(14)(a)(i)

of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. And section IV(14)(b)(ii) of the Minimum Housing and Health Standards which states that: the occupants have access to the common kitchen room from a public corridor without going outside the building.

- b. The openable area of the bedroom windows are too small to meet egress requirements. This contravenes 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”).
- c. The living middle room window is cracked across the pane. This contravenes 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.
- d. There is no handrail along the staircase. This contravenes 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.
- e. Many windows are single pane (not weather proof). This contravenes 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.

Unit B:

- a. There is no stove within the unit as directed by City of Calgary (Calgary Building Services Planning & Development). The occupant has no access to a common kitchen from a public corridor without going outside of the building. This contravenes section IV(14)(a)(i) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. And section IV(14)(b)(ii) of the Minimum Housing and Health Standards which states that: the occupants have access to the common kitchen room from a public corridor without going outside the building.

- b. The lock is broken on the living room window. This contravenes 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 living room window is single pane (not weather proof). 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.

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 **July 14, 2016**.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Provide kitchen facilities as per the Minimum Housing and Health Standards.
 - b. Modify the existing bedroom window or install a new window in each bedroom that has an unobstructed openable area of at least 3.8 square feet.
 - c. Replace the broken living room window in suite A.
 - d. Install a sturdy handrail along the staircase in suite A.
 - e. Install effective window locks in suite B.
 - f. Modify or replace windows throughout the units so that they are weatherproof (double paned).
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.

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, June 14, 2016.

Confirmation of a verbal order issued, via phone, to Abid Khan on June 7, 2016.

Patricia Vernon, 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: 780-427-2813
Fax: 780-422-0914
Email: health.appealboard@gov.ab.ca

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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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
Clareholm, 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