

IN THE MATTER OF THE PUBLIC HEALTH ACT – ALBERTA
ORDER OF AN EXECUTIVE OFFICER

To: Robert Croteau
7A Fonda Green SE
Calgary, Alberta, T2A 5S4
(the “**Owner**”)

And To: All Occupants (the “**Occupants**”) of those premises located in Calgary, Alberta and municipally described as:

7A Fonda Green SE – Basement Unit 2 (West Facing)
Calgary, Alberta
T2A 5S4

Re: Those premises located in Calgary, Alberta and municipally described as:

7A Fonda Green SE – Basement Unit 2 (West Facing)
Calgary, Alberta
T2A 5S4

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:

Basement Unit 2 (West Facing):

- a. There is no heat in basement unit 2 (West Facing).
- b. There is no electricity to the basement unit 2 (West Facing).
- c. There is no working ventilation within the bathroom.
- d. The ceiling in the living room is damaged with holes.
- e. The bedroom window does not meet the requirements for emergency egress as it only has 243 square inches of total openable area.

Basement Common Area:

- a. There is no handrail leading into the basement units.
- b. The walls are not in good repair as there is exposed wood, electrical wiring and insulation.
- c. The light fixture for the staircase is in disrepair.
- d. There is water/moisture infiltration in behind the electrical breaker box.
- e. The flooring covering in the common staircase is lifting and in disrepair.
- f. The main entrance door for the basement units does not close and lock properly.

ORDER OF AN EXECUTIVE OFFICER

Re: Those premises located in Calgary, Alberta and municipally described as **7A Fonda Green SE – Basement Unit 2 (West Facing), Calgary, Alberta**

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, and Minimum Housing and Health Standards exist in and about the above noted premises, namely:

Basement Unit 2 (West Facing):

- a. There is no heat in basement unit 2 (West Facing). This is a breach of section 8(a) of the Minimum Housing and Health Standards.
- b. There is no electricity in basement unit 2 (West Facing). This is a breach of section 11 of the Minimum Housing and Health Standards.
- c. There is no working ventilation within the bathroom. This is a breach of section 7(c) of the Minimum Housing and Health Standards.
- d. The ceiling in the living room is damaged with holes. This is a breach of section 5 of the Minimum Housing and Health Standards.
- e. The bedroom window does not meet the requirements for emergency egress as it only has 243 square inches of total openable area. This is a breach of section 3(b)(i) of the Minimum Housing and Health Standards.

Basement Common Area:

- a. There is no handrail leading into the basement units. This is a breach of section 3(c) of the Minimum Housing and Health Standards.
- b. The walls are not in good repair as there is exposed wood, electrical wiring and insulation. This is a breach of section 5 of the Minimum Housing and Health Standards.
- c. The light fixture for the staircase is in disrepair. This is a breach of section 13 of the Minimum Housing and Health Standards.
- d. There is water/moisture infiltration in behind the electrical breaker box. This is a breach of section 1(b) of the Minimum Housing and Health Standards.
- e. The flooring covering in the common staircase is lifting and in disrepair. This is a breach of section 5 of the Minimum Housing and Health Standards.
- f. The main entrance door for the basement units does not close and lock properly. This is a breach of section 3(a) of the Minimum Housing and Health Standards.

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**:

ORDER OF AN EXECUTIVE OFFICER

Re: Those premises located in Calgary, Alberta and municipally described as **7A Fonda Green SE – Basement Unit 2 (West Facing), Calgary, Alberta**

1. That the tenants vacate the above noted premises by the **26th day of May 2011**.
2. That, if the above noted premises are to be reoccupied by the public, the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

Basement Unit 2 (West Facing):

- a. Provide Basement Unit 2 (West Facing) with adequate heat that meets the requirements of the Minimum Housing and Health Standards. Have the furnace and all duct work thoroughly inspected and cleaned by a licensed mechanical company. Documentation of the work must be provided to an Executive Officer of Alberta Health Services.
- b. Provide electricity to Basement Unit 2 (West Facing) and ensure all electrical wiring is in good repair. The electrical wiring for the house must be inspected by a licensed electrician. Documentation of the work must be provided to an Executive Officer of Alberta Health Services.
- c. Install a means of natural or mechanical ventilation that is directly vented to the outside for the bathroom and that is maintained in good repair.
- d. Repair all damaged surfaces on walls and ceilings so that they in good repair
- e. Replace the bedroom window so that they meet the requirements outlined in section 3(b)(i) of the Minimum Housing and Health Standards.

Basement Common Area:

- a. Install a handrail that is secure to the wall for the staircase leading into the basement units.
 - b. All walls must be repaired so that they are smooth, easy to clean and in good repair.
 - c. The light fixture for the staircase must be repaired and in good working order.
 - d. The source of the water infiltration must be found and repaired.
 - e. The floor covering in the hallway must be repaired so that it is smooth, impervious to moisture and easy to clean.
 - f. The main entrance door must be repaired or replaced so that it shuts properly and locks.
3. That, until such time as the work referred to in paragraph 2 is completed to the satisfaction of the undersigned, or an executive officer of Alberta Health Services, the above noted premises shall remain **closed for tenant accommodation purposes**.

ORDER OF AN EXECUTIVE OFFICER

Re: Those premises located in Calgary, Alberta and municipally described as 7A Fonda Green SE – Basement Unit 2 (West Facing), Calgary, Alberta

Dated at Calgary, Alberta, this 19th day of May, 2011, confirming the Verbal Order issued on the 12th day of May, 2011 issued to Robert Croteau.

Maz Rahman, CPHI(C)
Executive Officer
Alberta Health Services

Section 5(2) of the Public Health Act provides that a person who is directly affected by this Order and considers himself or herself aggrieved hereby may appeal the same to the Public Health Appeal Board, 24th Floor, Telus Plaza North Tower, 10025 Jasper Avenue, Edmonton AB T5J 2N3, within ten (10) days. The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal.

The Owner is advised that the Public Health Act empowers Alberta Health Services to carry out the terms of this Order on the Owner's behalf and at the Owner's expense should the Owner fail to comply with the terms hereof.

Airdrie

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

Banff

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

Calgary/Mountain View/Rocky View

Alberta Health Services, *Southport*
10101 Southport Rd SW
Calgary, AB T2W 3N2
Phone: 403-943-2288
Fax: 403-943-8056

Canmore

Canmore Public Health
#104, 800 Railway Avenue
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Claresholm

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5221 2nd Street W
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Claresholm, AB T0L 0T0
Phone: 403-625-4061
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Didsbury

Didsbury Health Unit
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1210 -20th Avenue
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Okotoks

Okotoks Public Health Centre
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Strathmore

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www.calgaryhealthregion.ca/envhealth