

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

**To: James Chisan**  
"the owner"

**To: Nazem Baksh**  
"the owner"

**RE:** Those housing premises located in **Calgary**, Alberta and municipally described as:  
**837 Whitemont Drive NE**

**WHEREAS** I, an **Executive Officer** of **Alberta Health Services**, have inspected the above 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 furnace is not working.
- b. No smoke alarm installed.
- c. Some electrical outlets are missing cover plates.
- d. No handrail installed on stairs leading to the furnace and laundry room.
- e. Bathroom vent does not work.
- f. Glass on living room window is broken.
- g. Lower wall close to the bathtub is water damaged and in disrepair.
- h. There is a gap between the bathtub and tiles on bathroom wall.
- i. Tiles missing on floor in the hall way close to the toilet door.
- j. Linoleum in several areas of the house is in disrepair.
- k. Aqua board under the bathroom sink cupboard is water damaged and in disrepair.
- l. The bathroom sink faucet housing is unstable and not properly installed.
- m. There is no hot running water.
- n. All windows in the house have no locks.

**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 furnace is not working. This contravenes Section 8 of the Minimum Housing and Health Standards.
- b. No smoke alarm installed. This contravenes Section 12 of the Minimum Housing and Health Standards.

- c. Some electrical outlets are missing cover plates. This contravenes Section 11 of the Minimum Housing and Health Standards.
- d. No handrail installed on stairs leading to the furnace and laundry room. This contravenes Section 3 (c) of the Minimum Housing and Health Standards.
- e. Bathroom vent does not work. This contravenes Section 7 (c) of the Minimum Housing and Health Standards.
- f. Glass on living room window is broken. This contravenes Section 2 (b) (i) of the Minimum Housing and Health Standards.
- g. Lower wall close to the bathtub is water damaged and in disrepair. This contravenes Section 5 of the Minimum Housing and Health Standards.
- h. There is a gap between the bathtub and tiles on bathroom wall. This contravenes Section 5 of the Minimum Housing and Health Standards.
- i. Tiles missing on floor in the hall way close to the toilet door. This contravenes Section 5 of the Minimum Housing and Health Standards.
- j. Linoleum in several areas of the house is in disrepair. This contravenes Section 5 of the Minimum Housing and Health Standards.
- k. Aqua board under the bathroom sink cupboard is water damaged and in disrepair. This contravenes Section 5 of the Minimum Housing and Health Standards.
- l. The bathroom sink faucet housing is unstable and not properly installed. This contravenes Section 6 (c) of the Minimum Housing and Health Standards
- m. There is no hot running water. This contravenes Section 9 of the Minimum Housing and Health Standards
- n. All windows in the house have no locks. This contravenes 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 **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. Repair or replace furnace, ensure that the furnace is working properly and that the temperature in the house is maintained at 22 degrees Celsius.
  - b. Install a smoke alarm that is working at all times close to all the bedrooms.
  - c. Install cover plates on all electrical outlets in the house.
  - d. Install a handrail on stairs leading to the basement.
  - e. Repair or replace vent in the bathroom and ensure that the vent is working properly.
  - f. Replace broken glass on living room window with new glass.
  - g. Repair wall in the bathroom and ensure that all walls in the house are in good repair.
  - h. Seal gap between bathtub and tiles on bathroom wall.
  - i. Install missing tiles on floor in front of the bathroom door.
  - j. Remove and replace all damaged linoleum in the house and ensure that the linoleum is properly installed and in good repair.
  - k. Replace aqua board under the bathroom sink cupboard and ensure that the board is adequately finished.
  - l. Repair or replace bathroom sink faucet housing.

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- m. Provide the house with hot running water.
  - n. Install locks on all windows in the house.
  - o. Complete all recommended repairs of the hot water tank by ATCO. All documentation of work done must be forwarded to this office.
- 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.** That all work listed above shall be completed no later than September 20, 2013.

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 21, 2013.

Confirmation of an oral order left on the voice mail of James Chisan, on June 20, 2013.

**Ayuk Eyong, 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](mailto:health.appealboard@gov.ab.ca)

A Notice of Appeal form may be obtained by contracting 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](http://www.qp.gov.ab.ca).**

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**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](http://www.qp.gov.ab.ca).**

**Copies of standards are available by contacting the Health Protection Branch of Alberta Health & Wellness at (780) 427-4518, or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://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 2<sup>nd</sup> 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](http://www.albertahealthservices.ca/eph.asp)