

**ORDER OF AN EXECUTIVE OFFICER
CLOSED FOR TENANT ACCOMMODATION PURPOSES
ORDER TO VACATE ON OR BEFORE September 25, 2026**

To: Haben Mehari Kidane
"the Owner"

And To: All Occupant(s) of the following Housing premises: Basement – 1306 40 Street SE

RE: Those housing premises located in Calgary, Alberta and municipally described as:
Basement – 1306 40 Street SE

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;

By virtue of the violations noted below, the above noted premises are hereby declared to be **Closed for Tenant Accommodation Purposes**.

I hereby **ORDER** and **DIRECT**:

1. That all occupants vacate the above noted premises.
2. That the Owner(s) ensure all Occupants vacate the above noted premises on or before September 25, 2026.
3. That the Owner(s) immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install emergency egress windows in the basement bedrooms in accordance with the Minimum Housing and Health Standards and applicable building codes. Egress window openings must be no less than 3.8 square feet, with no dimension less than 15 inches.
 - b. Have the furnace and ducting inspected by a qualified Plumbing and Heating Contractor. Repair the hole in the furnace, properly connect all disconnected vents and ductwork, and provide documentation of the inspection and completed repairs to the Public Health Inspector.
 - c. Install an emergency egress window in the bedroom that meets all applicable requirements or discontinue use of the room for sleeping purposes and relocate the occupant to a compliant bedroom.
 - d. Install a handrail and guardrail on the staircase leading into the basement in accordance with applicable building code requirements.
 - e. Install approved cover plates on all electrical switches and receptacles throughout the dwelling.
 - f. Repair and securely fasten all shower plumbing fixtures to the wall. Repair all holes and gaps surrounding the fixtures and ensure wall surfaces are smooth, durable, and impervious to moisture.

- g. Install appropriate vent covers on all ceiling ventilation openings throughout the dwelling.
 - h. Repair or replace all damaged, chipped, loose, or missing flooring materials. Ensure all floor surfaces are maintained in good repair and free from trip hazards.
 - i. Complete all wall and ceiling finishes by repairing holes, covering exposed framing and insulation, taping and mudding drywall joints, sanding, and painting all surfaces.
 - j. Repair, replace, and securely install baseboards throughout the basement where missing or damaged.
 - k. Install appropriate casings around all window and door frames and maintain them in good repair.
 - l. Replace the worn vinyl flooring on the staircase and install appropriate stair nosing on all steps.
 - m. Redirect the washroom exhaust fan ducting so that it properly exhausts to the exterior.
 - n. Identify and eliminate sources contributing to the attraction or breeding of flies. Clean and sanitize affected areas, implement appropriate pest control measures, and install or repair insect screens as necessary to prevent pest entry.
4. 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 and secured from unauthorized entry.

These required actions are necessary given the presence of the following conditions identified during inspection 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, in contravention of the Public Health Act, namely:

- a. The bedroom windows located in the basement were measured at approximately 15" x 13" (1.4 square ft.) which do not meet the egress window requirements of 3.8 square ft.
- b. A hole was observed on the side of the furnace, and a vent was observed protruding from the furnace without being properly connected.
- c. The basement bedroom located across from the furnace room was occupied by a tenant and did not have an emergency egress window.
- d. A handrail and guard rail were observed to be missing at the staircase leading into the basement.
- e. Switch and receptacle plates were missing throughout the dwelling.
- f. The plumbing fixtures (faucet, shower head, valves) located in the basement shower were observed to be loose and hanging from the wall. Large holes and gaps were observed between the fixtures and the tiled wall.
- g. Ceiling vent covers were missing throughout the dwelling.
- h. The plank flooring throughout the dwelling was in a state of disrepair, with damaged, chipped, and missing planks.
- i. The basement ceiling and walls were unfinished, with drywall joints, seams, framing, and insulation exposed.
- j. Baseboards were loose or missing throughout the basement.
- k. Window and door casings were missing around the windows and door frames.

- l. The vinyl on the staircase leading into the basement was peeling and in a state of disrepair with stair nosing missing from the steps.
- m. The washroom exhaust duct was observed discharging into the laundry room rather than venting to the exterior.
- n. Excessive flies were observed within the dwelling, indicating a potential sanitation concern.

These observed public health nuisance conditions identified during inspection are violations of the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards, namely:

- a. The bedroom windows located in the basement were measured at approximately 15" x 13" (1.4 square ft.) which do not meet the egress window requirements of 3.8 square ft. This is in contravention of section III(3)(b)(ii) of the *Minimum Housing and Health Standards* which states that "Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15")." This is also a contravention of section 5(2) of the *Housing Regulation* which states that "No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease."
- b. A hole was observed on the side of the furnace, and a vent was observed protruding from the furnace without being properly connected. This is in contravention of Section IV(8)(a) of the Minimum Housing and Health Standards, which states that "All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building." This condition also contravenes Section 5(2) of the Housing Regulation, which states that "No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease."
- c. The basement bedroom located across from the furnace room was occupied by a tenant and did not have an emergency egress window. This is a contravention of section III(3)(b)(i) 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."
- d. A handrail and guard rail were observed to be missing at the staircase leading into the basement. This is a contravention of section III(3)(c)(i) of the *Minimum Housing and Health Standards* which states that "Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, 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. Switch and receptacle plates were missing throughout the dwelling. This is a contravention of section IV(11) of the *Minimum Housing and Health Standards* which states that "Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition."

- f. The plumbing fixtures (faucet, shower head, valves) located in the basement shower were observed to be loose and hanging from the wall. Large holes and gaps were observed between the fixtures and the tiled wall. This is in contravention of section IV(6)(a) of the *Minimum Housing and Health Standards* which states that “The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.”
- g. Ceiling vent covers were missing throughout the dwelling. This is in contravention of section IV(8)(a) of the *Minimum Housing and Health Standards* which states that “All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building.”
- h. The plank flooring throughout the dwelling was in a state of disrepair, with damaged, chipped, and missing planks. 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.”
- i. The basement ceiling and walls were unfinished, with drywall joints, seams, framing, and insulation exposed. 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.”
- j. Baseboards were loose or missing throughout the basement. 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.”
- k. Window and door casings were missing around the windows and door frames. 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.”
- l. The vinyl on the staircase leading into the basement was peeling and in a state of disrepair with stair nosing missing from the steps. 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.”
- m. The washroom exhaust duct was observed discharging into the laundry room rather than venting to the exterior. This is a contravention of section 5(2) of the *Housing Regulation* which states that “No person shall cause or permit any condition in housing premises that

is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.”

- n. Excessive flies were observed within the dwelling, indicating a potential sanitation concern. This is in contravention of section V(16)(a) of the *Minimum Housing and Health Standards* which states that “The owner shall ensure that the housing premises are free of insect and rodent infestations.”

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 27, 2026

Confirmation of a verbal order issued to Haben Mehari Kidane on August 25, 2026.

Executive Officer
Environmental Health Officer

If you have any questions regarding the order, contact Environmental Public Health at 1-833-476-4743 or <https://www.albertahealthservices.ca/eph/eph.aspx>

You have the right to appeal

A person who is directly affected by a 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, ATB Place North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

A Notice of Appeal form may be obtained by contacting the Public Health Appeal Board or visiting their website.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Health Legislation and regulations are available for purchase. Please contact Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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<https://www.ahs.ca/eph>