

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

To: Bing Wang
"the Owner"

And

Yi-Hui Sun
"the Owner"

And To: All Occupant(s) of the following Housing premises: 329 14 Ave SW

RE: Those housing premises located in Calgary, Alberta and municipally described as:
329 14 Ave SW

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:

Common:

- a. The structural integrity of the property is a major concern. The wood support beams in the basement were split, cracked, and no longer providing foundation support to the property.
- b. There was a dead mouse in the lower furnace area.

Unit 1:

- c. There was major water damage on the ceiling in the living room.
- d. The washroom flooring was lifting.
- e. The bedroom window cannot open for egress.
- f. There was no smoke alarm near the bedroom.
- g. The washroom hand sink plumbing was leaking.
- h. There was no mechanical fan or exterior window for ventilation in the washroom.
- i. The kitchen back splash was missing caulking.
- j. The base vanity of kitchen sink was water stained and the back wall was cracked, bubbling, and water damaged.
- k. There was a hole behind the toilet, the drywall installed did not cover the entire hole and the surface was unfinished.
- l. The bathtub caulking was mouldy.

Unit 2:

- m. There was no water available in this unit.
- n. Mice droppings were observed under the kitchen hand sink.
- o. The bedroom window cannot open.
- p. The bedroom window was cracked and single paned.
- q. There was water damage on the ceiling in the bedroom and living room.
- r. The base vanity of the kitchen hand sink was water stained with a hole around the water line.
- s. The kitchen back splash was missing caulking.
- t. The smoke alarm was not operational.
- u. There was a live electrical wire exposed in the kitchen.

Unit 3:

- v. The kitchen sink cold water tap was leaking.
- w. The ceiling was water damaged and peeling off in the living room.
- x. The drywall was cracked above the bedroom window.
- y. The smoke alarm was not operational.

Unit 4:

- z. There was no water available in this unit.
- aa. There was no kitchen stove in this unit, a hot plate was provided.
- bb. There was no handrail for the staircase.
- cc. The kitchen window cannot close and lock.
- dd. The smoke alarm was not operational.

Unit 5:

- ee. There was no water available in this unit.
- ff. There was major water damage on the bedroom ceiling and some sections were bulging.
- gg. There was major clutter in the bedroom.
- hh. The smoke alarm was not operational.

Unit 6:

- ii. There were lots of mice droppings found under the kitchen sink.
- jj. The smoke alarm was missing.
- kk. There was major water damage on the bedroom ceiling.
- ll. The base vanity under the kitchen sink was water stained.
- mm. Raw plywood was nailed to the kitchen ceiling however it was beginning to fall off.
- nn. The kitchen stove was filthy, dirty, and has major grease build up.

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. The structural integrity of the property is a major concern. The wood support beams in the basement were split, cracked, and no longer providing foundation support to the property. This is in contravention of section III of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition.
- b. There was a dead mouse in the lower furnace area. 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.

Unit 1:

- c. There was major water damage on the ceiling in the living 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.
- d. The washroom flooring was lifting. This is in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.
- e. The bedroom window cannot open for egress. This is in 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 and section III(3)(b)(ii) of the Minimum Housing and Health Standards which states that: Windows referred to in section III(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”).
- f. There was no smoke alarm near the bedroom. This is in 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.
- g. The washroom hand sink plumbing was leaking. 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.
- h. There was no mechanical fan or exterior window for ventilation in the washroom. This is in contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
- i. The kitchen back splash was missing caulking. This is in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.

- j. The base vanity of kitchen sink was water stained and the back wall was cracked, bubbling, and water damaged. This is in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
- k. There was a hole behind the toilet, the drywall installed did not cover the entire hole and the surface was unfinished. This is in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.
- l. The bathtub caulking was mouldy. This is in contravention of section III(1)(c) of the Minimum Housing and Health Standards which states that: Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.

Unit 2:

- m. There was no water available in this unit. This is in contravention of section IV(9) of the Minimum Housing and Health Standards which states that: Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.
- n. Mice droppings were observed under the kitchen hand sink. 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.
- o. The bedroom window cannot open. This is in 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 and section III(3)(b)(ii) of the Minimum Housing and Health Standards which states that: Windows referred to in section III(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”).
- p. The bedroom window was cracked and single paned. This is in contravention of 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.
- q. There was water damage on the ceiling in the bedroom and living 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.
- r. The base vanity of the kitchen hand sink was water stained with a hole around the water line. This is in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
- s. The kitchen back splash was missing caulking. This is in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.

- t. The smoke alarm was not operational. This is in contravention of section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.
- u. There was a live electrical wire exposed in the kitchen. This is in 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.

Unit 3:

- v. The kitchen sink cold water tap was leaking. 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.
- w. The ceiling was water damaged and peeling off in the living 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.
- x. The drywall was cracked above the bedroom window. 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.
- y. The smoke alarm was not operational. This is in contravention of section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.

Unit 4:

- z. There was no water available in this unit. This is in contravention of section IV(9) of the Minimum Housing and Health Standards which states that: Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.
- aa. There was no kitchen stove in this unit, a hot plate was provided. This is in contravention of section IV(14)(a)(iv) 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.
- bb. There was no handrail for the staircase. This is in 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.
- cc. The kitchen window cannot close and lock. This is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
- dd. The smoke alarm was not operational. This is in contravention of section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.

Unit 5:

- ee. There was no water available in this unit. This is in contravention of section IV(9) of the Minimum Housing and Health Standards which states that: Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.
- ff. There was major water damage on the bedroom ceiling and some sections were bulging. 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.
- gg. There was major clutter in the bedroom. This is in contravention of section 5(2) of the Public Health Act on Housing Regulation, 2001 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.
- hh. The smoke alarm was not operational. This is in contravention of section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.

Unit 6:

- ii. There were lots of mice droppings found under the kitchen sink. 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.
- jj. The smoke alarm was missing. This is in 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
- kk. There was major water damage on the bedroom ceiling. 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.
- ll. The base vanity under the kitchen sink was water stained. This is in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
- mm. Raw plywood was nailed to the kitchen ceiling however it was beginning to fall off. 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.
- nn. The kitchen stove was filthy, dirty, and has major grease build up. This is in contravention of section 5(2) of the Public Health Act on Housing Regulation, 2001 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.

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 occupants vacate the above noted premises on or before July 18, 2018.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

Common:

- a. Hire a structural engineer to assess the structural integrity of the property and provide documentation to an Executive Officer of Alberta Health Services regarding the assessment and the scope of work.
- b. Hire a professional pest control company to address the mice infestation in this property.

Unit 1:

- c. Find and repair the source of water infiltration through the living room ceiling. Remove all water damaged ceiling material and replace with new building material.
- d. Repair/replace washroom flooring material.
- e. Install a new bedroom window so that it meets all requirements of Section 3 of the Minimum Housing and Health Standards.
- f. Install a fully operational smoke alarm by sleeping area.
- g. Repair/replace washroom hand sink plumbing.
- h. Either install a mechanical fan or an exterior window for ventilation in the washroom.
- i. Seal the kitchen back splash with caulking.
- j. Remove all water damaged material under the kitchen sink and replace with new building material.
- k. Repair/replace exposed wall behind the toilet.
- l. Remove mouldy caulking around the bathtub and re-seal with new caulking.

Unit 2:

- m. Reinstate running water in this unit.
- n. Install a new bedroom window so that it meets all requirements of Section 3 of the Minimum Housing and Health Standards.
- o. Find and repair the source of water infiltration through the bedroom and living room ceilings. Remove all water damaged ceiling material and replace with new building material.
- p. Refinish the base vanity under the kitchen hand sink.
- q. Seal the exposed hole under the kitchen hand sink.
- r. Seal the kitchen back splash with caulking.
- s. Install a fully operational smoke alarm by bedroom.
- t. Cap or secure the exposed live electrical wire in the kitchen.

Unit 3:

- u. Repair/replace the cold water tap on the kitchen sink.
- v. Find and repair the source of water infiltration through the living room ceilings. Remove all water damaged ceiling material and replace with new building material.
- w. Repair/replace the damaged drywall above the bedroom window.

x. Install a fully operational smoke alarm by the bedroom.

Unit 4:

- y. Reinstate running water in this unit.
- z. Install a kitchen stove and remove the existing hot plate.
- aa. Install a handrail on the staircase.
- bb. Repair/replace the kitchen window.
- cc. Install a fully operational smoke alarm by the sleeping area.

Unit 5:

- dd. Reinstate running water in this unit.
- ee. Find and repair the source of water infiltration through the bedroom ceiling. Remove all water damaged ceiling material and replace with new building material.
- ff. Declutter the bedroom.
- gg. Install a fully operational smoke alarm by the bedroom.

Unit 6:

- hh. Install a fully operational smoke alarm by the bedroom.
- ii. Find and repair the source of water infiltration through the bedroom ceiling. Remove all water damaged ceiling material and replace with new building material.
- jj. Refinish the base vanity under the kitchen hand sink.
- kk. Remove the plywood from the kitchen ceiling and repair/refinish the ceiling.
- ll. Clean and disinfect the kitchen stove.

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 vacant and secure from unauthorized entry.

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, July 31, 2018

Confirmation of a verbal order issued to Yi-Hui Sun on July 19, 2018.

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 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: <http://www.health.alberta.ca/about/PHAB.html>

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

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