

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

To: Nsingi Kalukembelako
"the Owner"

And To: Zinga Saverly Moussoyi
"the Owner"

And To: All Occupant(s) of the following Housing premises: 335 Templeview Drive NE

RE: Those housing premises located in Calgary, Alberta and municipally described as: 335 Templeview Drive NE

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. There was no handrail installed along the exterior set of stairs leading to the basement suite.
- b. There was no handrail installed along the interior set of stairs between the basement and main floor landing near the front door.
- c. There were no spindles installed along the handrail of the rear exterior stairs to the deck. A gap greater than 4 inches was observed.
- d. There was evidence of a mice infestation in the home and no pest control reports have been received since the violation was first cited in 2018.
- e. Significant amounts of garbage and personal items were piled waist high in the backyard.
- f. There was a wooden piece of plywood stored directly beside the furnace.

Main:

- a. Several window locks were missing from the openable windows throughout the suite.
- b. Proper flooring materials were missing throughout the suite.
- c. Baseboards were missing throughout the suite.
- d. The ceilings and walls throughout the suite were improperly finished.
- e. Electrical outlet and light switch covers were missing throughout the suite.
- f. There was no kitchen facility installed for the main floor suite.
- g. The master bedroom window was badly cracked.
- h. The living room window was cracked.
- i. Many windows throughout the suite were missing proper insect screens.

- j. There was a gap to the exterior observed along the front entrance and back door.
- k. The joints between the ensuite bathroom counter and wall were not properly sealed.

Basement:

- a. The south bedroom window was nailed shut, and the window was also too small for emergency egress. The bedroom window measured approximately 14 inches wide and 20 inches high.
- b. There was no smoke alarm installed near the bedrooms.
- c. Electrical wires were exposed along the walls at the end of the hallway.
- d. There were missing electrical outlet covers throughout the suite.
- e. A light switch cover was missing over the dual light switches by the kitchen, and the electrical wires were exposed.
- f. Door trims were missing around the perimeter of the front entrance door and some of the bedrooms.
- g. The floor tiles near the front door were not secured in place. Portions of the flooring in this area were also missing, exposing concrete.
- h. Some portions of the floor tiles in the hallway were cracked.
- i. There was a hole in the wall along the joint between the wall and kitchen backsplash.
- j. There was a crack in the kitchen ceiling that was surrounded by water stains.
- k. A portion of the floor in the basement living room and in several bedrooms was missing.
- l. There were no baseboards installed in the hallway and in some of the bedrooms.
- m. Portions of the tiles near the floor beside the bathtub were falling off, exposing a large hole. One of the tiles were cracked, and a tile was missing around the bathtub surround.
- n. The baseboard behind the toilet was separating from the wall.
- o. A large portion of the corner wall (near the front door) was missing.
- p. Kitchen cupboard doors, drawer fronts, cabinet fronts were missing.
- q. The lower portion of the interior cabinet under the kitchen sink was bulging and water damaged.
- r. There was a gap exposed along the sides of the front door to the basement suite.
- s. There was no insect screen installed for the living room window.
- t. The south bedroom window was cracked.
- u. The south bedroom window was missing the left windowpane.

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. There was no handrail installed along the exterior set of stairs leading to the basement suite. 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.
- b. There was no handrail installed along the interior set of stairs between the basement and main floor landing near the front door. 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.

- c. There were no spindles installed along the handrail of the rear exterior stairs to the deck. A gap greater than 4 inches was observed. 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.
- d. There was evidence of mice infestation in the home and no pest control reports have been received since the violation was first cited in 2018. This is a 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.
- e. Significant amounts of garbage and personal items were piled waist high in the backyard. 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.
- f. There was a wooden piece of plywood stored directly beside the furnace. 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.

Main:

- a. Several window locks were missing from the openable windows throughout the suite. This is a 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.
- b. Electrical outlet and light switch covers were missing throughout the suite. 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.
- c. Proper flooring materials were missing throughout the suite. This is a 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. Baseboards were missing throughout the suite. This is a 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.

- e. The ceilings and walls throughout the suite were improperly finished. This is a 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.
- f. There was no kitchen facility installed for the main floor suite. This is a contravention of section IV(14)(a)(i)(ii)(iii)(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 kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation; and cupboards or other facilities suitable for the storage of food; and a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; and: 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.
- g. The master bedroom window was badly cracked. This is a 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.
- h. The living room window was cracked. This is a 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.
- i. Many windows throughout the suite were missing proper insect screens. This is a contravention of section III(2)(b)(iii) of the Minimum Housing and Health Standards which states that: During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.
- j. There was a gap to the exterior observed along the front entrance and back door. This is a 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.
- k. The joints between the ensuite bathroom counter and wall were not properly sealed. This is a 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.

Basement:

- a. The south bedroom window was nailed shut, and the window was also too small for emergency egress. The bedroom window measured approximately 14 inches wide and 20 inches high. This is a contravention of section III(3)(b)(i)(ii) 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 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”).

- b. There was no smoke alarm installed near the bedrooms. This is a 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.
- c. Electrical wires were exposed along the walls at the end of the hallway. 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.
- d. There were missing electrical outlet covers throughout the suite. 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.
- e. A light switch cover was missing over the dual light switches by the kitchen, and the electrical wires were exposed. 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. Door trims were missing around the perimeter of the front entrance door and some of the bedrooms. This is a 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.
- g. The floor tiles near the front door were not secured in place. Portions of the flooring in this area were also missing, exposing concrete. This is a 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.
- h. Some portions of the floor tiles in the hallway were cracked. This is a 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. There was a hole in the wall along the joint between the wall and kitchen backsplash. This is a 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. There was a crack in the kitchen ceiling that was surrounded by water stains. This is a 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. This is also a contravention of section III(1)(a,b) of the Minimum Housing and Health Standards which states that: the housing premises shall be structurally sound, and; basements, cellars or crawl spaces shall be structurally sound, and maintained in good repair and free from water infiltration and accumulation.
- k. A portion of the floor in the basement living room and in several bedrooms was missing. This is a 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. There were no baseboards installed in the hallway and in some of the bedrooms. This is a 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. Portions of the tiles near the floor beside the bathtub were falling off, exposing a large hole. One of the tiles were cracked, and a tile was missing around the bathtub surround. This is a 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. This is also a 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.
- n. The baseboard behind the toilet was separating from the wall. This is a 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.
- o. A large portion of the corner wall (near the front door) was missing. This is a 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.

- p. Kitchen cupboard doors, drawer fronts, cabinet fronts were missing. This is a contravention of section IV(14)(a)(ii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: cupboards or other facilities suitable for the storage of food.
- q. The lower portion of the interior cabinet under the kitchen sink was bulging and water damaged. This is a 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.
- r. There was a gap exposed along the sides of the front door to the basement suite. This is a 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.
- s. There was no insect screen installed for the living room window. This is a contravention of section III(2)(b)(iii) of the Minimum Housing and Health Standards which states that: During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.
- t. The south bedroom window was cracked. This is a 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.
- u. The south bedroom window was missing the left windowpane. This is a 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.

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 June 30, 2024.
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. Install a sturdy handrail along the exterior stairs leading to the basement that complies with the requirements of the Alberta Building Code.
- b. Install a sturdy handrail along the interior stairs between the basement and main floor landing that complies with the requirements of the Alberta Building Code.
- c. Install vertical spindles that measure no more than 4 inches apart along the railing to the deck or, block the gaps along the railing.

- d. Hire a professional pest control company to inspect, treat, and eradicate the mouse infestation. Provide documentation of work completed to an Executive Officer with Alberta Health Services.
- e. Remove all garbage and personal items piled waist high in the backyard.
- f. Remove the wooden plywood stored beside the furnace as this is a fire hazard.

Main:

- a. Install effective window locks for the windows throughout the suite.
- b. Install proper flooring materials throughout the suite.
- c. Install baseboards throughout the suite.
- d. Apply proper finishes over the walls and ceilings throughout the suite.
- e. Install proper electrical outlet and light switch covers throughout the suite.
- f. Install a proper kitchen including a suitably sized sink with hot / cold potable water, kitchen counter, cabinets, a stove, and a refrigerator.
- g. Replace the cracked window in the master bedroom with a new one.
- h. Repair or replace the cracked window in the living room.
- i. Install tight-fitting insect screens over the openable windows missing screens throughout the home.
- j. Close the gap to the exterior around the front / back door by repairing or replacing the weatherstripping.
- k. Seal the joint between the ensuite bathroom counter and wall and ensure a watertight joint is formed.

Basement:

- a. Install a new bedroom window that meets section 3B of the Minimum Housing and Health Standards. Ensure this window is properly weatherproof.
- b. Install a fully operational smoke alarm in the hallway near the bedrooms.
- c. Install proper drywall and ensure the electrical wires are no longer exposed.
- d. Install proper electrical outlet and light switch covers throughout the suite.
- e. Install missing door trims around the doors throughout the suite.
- f. Secure the floor tiles near the front door and install missing flooring near this area.
- g. Repair or replace the cracked floor tiles in the hallway.
- h. Patch the hole in the wall behind the kitchen sink.
- i. Investigate the source of the water causing for the ceiling to stain and properly repair. Then, patch the crack in the ceiling and refinish the area.
- j. Install flooring in basement living room and bedrooms where it is missing.
- k. Install baseboards throughout the suite.
- l. Remove all damaged tiles around the bathtub surround and replace with new materials. Ensure water-tight joints are formed.
- m. Secure the baseboard behind the toilet to the wall.
- n. Patch the large hole near the front door and apply a proper finish.
- o. Install missing kitchen cupboard doors, drawer fronts, and cabinet fronts.
- p. Remove the water damaged section of the interior kitchen cabinet wall and replace with new materials.
- q. Close the gap exposed along the sides of the front door by repairing or replacing the weatherstripping.
- r. Install a tight-fitting insect screen for the living room window.

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, May 24, 2024

Confirmation of a verbal order issued to Zinga Saverly Moussoyi and Nsingi “Phillip” Kalukembelako on May 22, 2024.

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, 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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Copy City of Calgary Fire, City of Calgary Police Services

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