

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

To: G.I.G. TRUCKING LTD.
"the Owner"

Guillermo Anais
"the Owner"

Inelda Gonzalez Aguirre
"the Owner"

CANADIAN PROPERTY HOLDINGS INC.
"the Owner"

And To: All Occupant(s) of the following Housing premises: 3716 56 Avenue SE - Unit 11

RE: Those housing premises located in Calgary, Alberta and municipally described as: 3716 56 Avenue SE - Unit 11

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:

- a. The three rooms in the office area being used for sleeping have no openable windows.
- b. The upper room used for sleeping has a small window that could be opened, but it is too small for egress. The openable area is approximately 16 inches by 16 inches.
- c. There were no smoke alarms installed near the rooms which were being used for sleeping.
- d. The shower is located in the open shop bay where mechanics are working on vehicles. The showering area is unprotected from the dirt, debris, grease, etc. The shower is also not waterproof, sealed, or constructed properly.
- e. There are several areas throughout the facility being used for food preparation, none of which meet the standards for a food facility as per the Minimum Housing and Health Standards. The stove is located in the open shop bay where mechanics are working on vehicles. This area does not have properly finished floors, walls, or ceilings. The refrigerator was located in one office room where the flooring was carpet. The counter and cabinet where the sink was located is in poor condition, there is exposed wood and missing finishes.
- f. There was a propane tank being stored next to the stove in the back bay.

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 three rooms in the office area being used for sleeping have no openable windows. This is in contravention of the Minimum Housing and Health Standards section 3(b)(i) which states: 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. This is also in contravention of the Minimum Housing and Health Standards section 3(b)(ii) which states: 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").
- b. The upper room used for sleeping has a small window that could be opened, but it is too small for egress. The openable area is approximately 16 inches by 16 inches. This is in contravention of the Minimum Housing and Health Standards section 3(b)(ii) which states: 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").
- c. There were no smoke alarms installed near the rooms which were being used for sleeping. This is in contravention of the Minimum Housing and Health Standards section 12 which states: 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. This also contravenes Minimum Housing and Health Standards section 12(a) which states: Smoke alarms shall be operational and in good repair at all times.
- d. The shower is located in the open shop bay where mechanics are working on vehicles. The showering area is unprotected from the dirt, debris, grease, etc. The shower is also not waterproof, sealed, or constructed properly. This is in contravention of the Minimum Housing and Health Standards section 5 which states: 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. This is also in contravention of the Minimum Housing and Health Standards section 5(a) which states: 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. There are several areas throughout the facility being used for food preparation, none of which meet the standards for a food facility as per the Minimum Housing and Health Standards. The stove is located in the open shop bay where mechanics are working on vehicles. This area does not have properly finished floors, walls, or ceilings. The refrigerator was located in one office room where the flooring was carpet. The counter and cabinet where the sink was located is in poor condition, there is exposed wood and missing finishes. This is in contravention of the Minimum Housing and Health Standards section 14(a) which states: Every housing premises shall be provided with a food preparation area, which includes: (i) 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 (ii) cupboards or other facilities suitable for the storage of food; and (iii) a counter or table used for food preparation which shall be of sound construction

and furnished with surfaces that are easily cleaned; and (iv) 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. This is also in contravention of the Minimum Housing and Health Standards section 5(b) which states: 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.

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 April 4, 2025.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install windows that meet the egress requirements in the Minimum Housing and Health Standards in all rooms used for sleeping.
 - b. Install smoke alarms between sleeping areas and the rest of the facility.
 - c. Repair/refinish the shower and ensure that all of the washroom finishes are smooth, impervious to moisture, and easy to clean.
 - d. Construct a kitchen which is comprised of 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, cupboards or other facilities suitable for the storage of food, a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned, 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.
 - e. Do not use or store propane tanks in habitable spaces.
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, March 31, 2025

Confirmation of a verbal order issued to Guillermo Anais on March 21, 2025.

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