

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

To: Phillip Yu
"the Owner"

And To: Andrew Chen
"the Property Manager"

And To: All Occupant(s) of the following Housing premises: 4112 Maryvale Drive NE – Rooms 11 and 12

RE: Those housing premises located in Calgary, Alberta and municipally described as: 4112 Maryvale Drive NE – Rooms 11 and 12

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. Room 11 had an openable window that measured approximately 12" high and 44" wide which is too small for emergency egress. There was also a security bar installed in front of the exterior side of the window that blocked effective emergency egress.
- b. Room 12 had an openable window that measured approximately 12" high and 44" wide, which is too small for emergency egress. There was also a security bar installed in front of the exterior side of the window that was pad locked shut, thus blocking effective emergency egress.
- c. Ceiling tiles were missing from the ceiling in room 12.
- d. There was 1 full legal kitchen shared amongst 11 occupants in the home.

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. Room 11 had an openable window that measured approximately 12" high and 44" wide which is too small for emergency egress. There was also a security bar installed in front of the exterior side of the window that blocked effective emergency egress. 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. This is also a contravention of 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”). This is also a contravention of section III(3)(b)(iii) of the Minimum Housing and Health Standards which states that: If the window referred III(3)(b)(i) is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge.

- b. Room 12 had an openable window that measured approximately 12” high and 44” wide, which is too small for emergency egress. There was also a security bar installed in front of the exterior side of the window that was pad locked shut, thus blocking effective emergency egress. 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. This is also a contravention of 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”). This is also a contravention of section III(3)(b)(iii) of the Minimum Housing and Health Standards which states that: If the window referred III(3)(b)(i) is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge.
- c. Ceiling tiles were missing from the ceiling in room 12. 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. There was 1 full legal kitchen shared amongst 11 occupants in the home. This is a contravention of section IV(14)(b)(iv) of the Minimum Housing and Health Standards which states that: Occupants of a housing premises with more than one dwelling may share food preparation facilities provided that: the food preparation facilities shall not serve more than eight persons.

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 December 31, 2023.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Room 11 must not be used for sleeping purposes until such a time that a window is installed that meets the requirements of section 3(b) of the Minimum Housing and Health Standards.
 - b. Room 12 must not be used for sleeping purposes until such a time that a window is installed that meets the requirements of section 3(b) of the Minimum Housing and Health Standards.
 - c. Install ceiling tiles in room 12.
 - d. Keep the maximum number of occupants in the home to no more than 8, or, install a second legal kitchen only if after consultation with the City of Calgary, it is permitted that a second kitchen be installed in the home. If it is, comply with all

City of Calgary requirements to ensure the second kitchen meets Alberta Building Code/Fire and Minimum Housing and Health Standards.

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, November 24, 2023.
Confirmation of a verbal order issued to Phillip Yu and Andrew Chen on November 23, 2023.

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>

Template revised October 13, 2022

Copy City of Calgary Fire

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