

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

**To:** Adebayo Edmund Cole  
"the Owner"

**And To:** Harolda Tunde Cole  
"the Owner"

**And To:** All Occupant(s) of the following Housing premises: 6511 Rundlehorn Drive NE –  
Basement

**RE:** Those housing premises located in Calgary, Alberta and municipally described as:  
6511 Rundlehorn Drive NE – Basement

**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 smoke alarm installed in the suite was not operational.
- b. The basement bedroom had no window.
- c. There was a strong moldy/ musty odor throughout the unit. Using a moisture meter, high moisture levels (between 600-900 RELS) were measured in the badly damaged /stained carpets throughout the bedroom and hallway.
- d. There was no usable toilet in the suite. The toilet was unable to flush and there was a significant amount of toilet paper/waste accumulated within the toilet bowl.
- e. There was no handrail installed along the rear exterior set of stairs leading to the basement suite.
- f. The kitchen sink was plugged and unable to drain water out properly.
- g. Electrical outlet covers were missing from all the outlets in the bedroom.
- h. There were hanging electrical wires in the bedroom that were missing covers.
- i. The electrical outlet cover in the kitchen near the sink was not secured in place.
- j. The outlet cover in the bathroom beside the sink was missing a proper cover and was installed upside down.
- k. There was dog feces observed on the flooring throughout the unit.
- l. There was a hole in the ceiling of the closet beside the bathroom, exposing electrical wires.
- m. The floor tile was damaged and missing a portion near the bedroom transition strip.
- n. The finish on the bathroom ceiling was deteriorating and peeling off.
- o. A square cut out section of drywall near the laundry machines was not secured in place, revealing a hole in the wall.

- p. The baseboards behind the laundry machines were water stained, water damaged, and peeling away from the wall.
- q. The baseboard beside the front door was water stained and peeling away from the wall.
- r. There was a transition strip missing between the carpet and tile in the hallway.
- s. There were large gaps between the baseboard and flooring throughout the perimeter of the bathroom.
- t. The joint between the base of the bathtub and bathroom floor was not properly sealed.
- u. The flange around the shower head was not secured in place, exposing a hole in the shower wall.
- v. The wall beside the hand sink in the bathroom was damaged and sections of the paint finish was missing.
- w. The floor drain in the bathroom was recessed into the floor exposing an approximate 1-inch elevation difference in the flooring, creating a tripping hazard.
- x. There was a circular-shaped hole in the floor tiles near the front door that was stuffed with paper and covered by a flimsy plastic cover that was not secured in place.
- y. When the front door is fully closed, there is a gap exposed to the exterior along the sides of the door.

**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 smoke alarm installed in the suite was not operational. This is a 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.
- b. The basement bedroom had no 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.
- c. There was a strong moldy/ musty odor throughout the unit. Using a moisture meter, high moisture levels (between 600-900 RELS) were measured in the badly damaged /stained carpets throughout the bedroom and hallway. This is 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. This is also a contravention of section 5(2) of the Public Health Act Housing Regulation, 1999 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.
- d. There was no usable toilet in the suite. The toilet was unable to flush and there was a significant amount of toilet paper/waste accumulated within the toilet bowl. This is a 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.

- e. There was no handrail installed along the rear 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.
- f. The kitchen sink was plugged and unable to drain water out properly. This is a 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. Electrical outlet covers were missing from all the outlets in the bedroom. 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.
- h. There were hanging electrical wires in the bedroom that were missing covers. 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.
- i. The electrical outlet cover in the kitchen near the sink was not secured in place. 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.
- j. The outlet cover in the bathroom beside the sink was missing a proper cover and was installed upside down. 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.
- k. There was dog feces observed on the flooring throughout the unit. This is a contravention of section V(16) of the Minimum Housing and Health Standards which states that: The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition.
- l. There was a hole in the ceiling of the closet beside the bathroom, exposing electrical wires. 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.

- m. The floor tile was damaged and missing a portion near the bedroom transition strip. 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.
- n. The finish on the bathroom ceiling was deteriorating and peeling off. 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.
- o. A square cut out section of drywall near the laundry machines was not secured in place, revealing a hole in the wall. 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. The baseboards behind the laundry machines were water stained, water damaged, and peeling away from the wall. 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.
- q. The baseboard beside the front door was water stained and peeling away from the wall. 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 transition strip missing between the carpet and tile in the hallway. 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.
- s. There were large gaps between the baseboard and flooring throughout the perimeter of the bathroom. 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.
- t. The joint between the base of the bathtub and bathroom floor was 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.

- u. The flange around the shower head was not secured in place, exposing a hole in the shower 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.
- v. The wall beside the hand sink in the bathroom was damaged and sections of the paint finish 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.
- w. The floor drain in the bathroom was recessed into the floor exposing an approximate 1-inch elevation difference in the flooring, creating a tripping hazard. 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.
- x. There was a circular-shaped hole in the floor tiles near the front door that was stuffed with paper and covered by a flimsy plastic cover that was not secured in place. 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.
- y. When the front door is fully closed, there is a gap exposed to the exterior along the sides of the 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.

**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 September 30, 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. Install a new smoke alarm that is fully operational.
  - b. Install a window in the bedroom that meets section 3B of the Minimum Housing and Health Standards. Proper permits may need to be obtained through the City of Calgary for this work.

- c. Determine the source of excess moisture/ water infiltration allowing for moisture to accumulate within the carpets and mouldy/musty odours to be present. Then, repair the source and remove all damaged/water saturated carpets throughout the suite and replace with all new materials.
  - d. Repair or replace the toilet and ensure it is fully operational.
  - e. Install a sturdy handrail along the exterior rear set of stairs leading towards the basement suite.
  - f. Repair the kitchen sink plumbing so it can drain waste out properly.
  - g. Install outlet covers over all exposed outlets in the bedroom.
  - h. Eliminate all exposed electrical wires by installing proper covers throughout the bedroom.
  - i. Re-secure the outlet cover back to the kitchen wall.
  - j. Re-install the outlet in the bathroom so that it is properly installed and then install a cover.
  - k. Properly remove all animal feces throughout the unit and disinfect contaminated surfaces.
  - l. Patch the hole in the ceiling of the closet or install a proper electrical fixture.
  - m. Repair or replace the damaged flooring near the bedroom transition strip.
  - n. Refinish the bathroom ceiling so the surface is made smooth/easily cleanable.
  - o. Secure the cut-out section of drywall near the laundry machines back in place and complete the work so the seams around the wall are properly finished and made smooth/easily cleanable.
  - p. Remove the water damaged baseboard behind the laundry machines and beside the front door. Then, replace with all new materials.
  - q. Install a transition strip between the carpet and tile near the hallway.
  - r. Properly install the baseboards in the bathroom and ensure a watertight joint is formed with the bathroom floor.
  - s. Seal the joint between the base of the bathtub and the bathroom floor.
  - t. Secure the flange around the showerhead to the wall and ensure a watertight joint is formed.
  - u. Repair the wall beside the hand sink in the bathroom and apply a proper finish over the wall.
  - v. Eliminate the tripping hazard by installing a new floor drain that is level to the bathroom floor.
  - w. Remove the paper stuffed into the hole and the flimsy plastic cover. Then, reinstall a proper floor drain cover or new flooring near the front door.
  - x. Repair or replace the weatherstripping around the entrance door and ensure there are no gaps to the exterior exposed.
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, September 18, 2023.  
Confirmation of a verbal order issued to Adebayo Edmund Cole on September 15, 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](mailto: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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10101 Southport Road SW, Alberta, Canada T2W 3N2

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