

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

To: Eva Yuen
"the Owner"

And To: All Occupant(s) of the following Housing premises: 7703 41 Avenue NW – Unit 2

RE: Those housing premises located in Calgary, Alberta and municipally described as: 7703 41 Avenue NW – Unit 2

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. There was no hot or cold running water to any fixture in the unit.
- b. Lower portions of drywall in the southeast corner bedroom were mouldy.
- c. There was a water leak noted in the bathroom as evidenced by mouldy drywall in the bathroom and standing water on the bathroom floor.
- d. The window in the southeast corner bedroom was boarded, thus preventing emergency egress.
- e. The window in the east facing bedroom was boarded, thus preventing emergency egress.
- f. The laundry dryer vent was disconnected and was venting directly into the unit.
- g. The stove was missing the front left element.
- h. The baseboards in the bathroom were saturated with water and were visibly water damaged.
- i. The patio door insect screen was missing.
- j. Several switchplate covers were missing from over light switches.
- k. Electrical outlets were hanging by their wires in the upper and lower hallway.
- l. The light fixture cover was missing from over the light in the upper hallway.
- m. There was an exposed live wire on the electrical outlet hanging from the wall in the lower hallway.
- n. The light fixture in the southeast corner bedroom was hanging by its wires from the ceiling.
- o. Baseboards were missing throughout most of the lower level.
- p. The stairwell banister was in poor condition. Paint finish had badly worn away exposing metal beading and bare drywall, and chunks of gyproc were missing in several sections.
- q. There was hole in the wall in the lower-level hallway.
- r. Flooring was missing from around the toilet, exposing the wooden subfloor.
- s. The cover was missing from the bathroom exhaust fan.

- t. There was a large section of paint scrapped off from the ceiling in the southeast corner bedroom, exposing bare drywall.
- u. There was a hole in the wall of the bathroom above the toilet.
- v. Joint seals were deteriorated or missing from the joint of the bathroom floor and walls, toilet, bathtub, and cabinet.

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. There was no hot or cold running water to any fixture in the unit. This is a 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 and section IV(9)(a) of the Minimum Housing and Health Standards which states that: All hot running water shall be maintained at a temperature of not less than 46 degrees C (1140F), and not more than 60 degrees C (1400F) measured at the plumbing fixture.
- b. Lower portions of drywall in the southeast corner bedroom were mouldy. This is a contravention of section 5(2) of the 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.
- c. There was a water leak noted in the bathroom as evidenced by mouldy drywall in the bathroom and standing water on the bathroom floor. This is a contravention of section IV(6)(c) of the Minimum Housing and Health Standards which states that: All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- d. The window in the southeast corner bedroom was boarded, thus preventing 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.
- e. The window in the east facing bedroom was boarded, thus preventing 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.
- f. The laundry dryer vent was disconnected and was venting into the unit. This is a contravention of section 5(2) of the 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.
- g. The stove was missing the front left element. This is a contravention of section IV(14)(d) of the Minimum Housing and Health Standards which states that: The owner shall be responsible for the provision and operating condition of the cooking and refrigeration

equipment supplied by the owner, unless the rental agreement stipulates that the tenant is responsible.

- h. The baseboards in the bathroom were saturated with water and were visibly 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.
- i. The patio door insect screen was missing. 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. Several switchplate covers were missing from over light switches. 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. Electrical outlets were hanging by their wires in the upper and lower 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.
- l. The light fixture cover was missing from over the light in the upper 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.
- m. There was an exposed live wire on the electrical outlet hanging from the wall in the lower 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.
- n. The light fixture in the southeast corner bedroom was hanging by its wires from the ceiling. 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.
- o. Baseboards were missing throughout most of the lower level. 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 stairwell banister was in poor condition. Paint finish had badly worn away exposing metal beading and bare drywall, and chunks of gyproc were missing in several sections. 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.
- q. There was hole in the wall in the lower-level 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.

- r. Flooring was missing from around the toilet, exposing the wooden subfloor. 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.
- s. The cover was missing from the bathroom exhaust fan. 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. There was a large section of paint scrapped off from the ceiling in the southeast corner bedroom, exposing bare drywall. 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.
- u. There was a hole in the wall of the bathroom above the toilet. 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. Joint seals were deteriorated or missing from the joint of the bathroom floor and walls, toilet, bathtub, and cabinet. 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.

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 immediately.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Re-instate hot and cold running water.
 - b. Repair all plumbing leaks.
 - c. Remove and dispose of all mouldy and water damaged materials throughout the unit, replace with new materials, and refinish.
 - d. Remove boards from the window in the southeast corner bedroom and east facing bedroom.
 - e. Reconnect the laundry dryer vent.
 - f. Replace the missing stove element.

- g. Replace the patio door insect screen.
 - h. Replace all missing switchplates.
 - i. Properly install the electrical outlets in the upper and lower-level hallways
 - j. Replace the light fixture cover on the light in the upper hallway.
 - k. Properly install a light fixture in the southeast corner bedroom.
 - l. Replace missing baseboards in the lower level of the unit.
 - m. Refinish the stairwell banister.
 - n. Repair the hole in the wall of the lower-level hallway.
 - o. Repair or replace bathroom flooring.
 - p. Replace missing bathroom exhaust fan cover.
 - q. Refinish the ceiling in the southeast corner bedroom.
 - r. Repair and refinish the hole in the wall above the toilet in the bathroom.
 - s. Reseal the joints of the bathroom floor and walls, toilet, bathtub and cabinet.
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 3, 2023
Confirmation of a verbal order issued to Eva Yuen on March 2, 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>

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