

**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 4

RE: Those housing premises located in Calgary, Alberta and municipally described as:
7703 41 Avenue NW – Unit 4

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 unit was being occupied despite an active Closed for Tenant Accommodation Order.
- b. There was no hot or cold running water to any fixture in the unit.
- c. The window in the west facing bedroom was boarded, thus preventing emergency egress.
- d. The window in the northeast corner bedroom was boarded, thus preventing emergency egress.
- e. The window in the northwest corner bedroom was boarded, thus preventing emergency egress.
- f. Mouse droppings were observed in the northeast corner bedroom and living room.
- g. The patio door was not capable of being locked.
- h. The laundry dryer vent was disconnected, and was venting directly into the unit.
- i. The bathroom exhaust fan was not operational.
- j. An electrical outlet was hanging from the wall by its wires in the laundry area.
- k. A light fixture cover was missing from over the light in the kitchen.
- l. 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.
- m. Baseboards were missing in the northeast corner bedroom.
- n. The entry door weatherstripping was torn and missing in sections.

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 unit was being occupied despite an active Closed for Tenant Accommodation Order. This is in contravention of section 71 of the Public Health Act which states that: No

person shall obstruct, molest, hinder or interfere with a person in the execution of any duty imposed or in the exercise of any power conferred on the person by this Act or the regulation.

- b. 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.
- c. The window in the west 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.
- d. The window in the northeast 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 northwest 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.
- f. Mouse droppings were observed in the northeast corner bedroom and living room. 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.
- g. The patio door was not capable of being locked. 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.
- h. The laundry dryer vent was disconnected, and was venting directly in to 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.
- i. The bathroom exhaust fan was not operational. This is a contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
- j. An electrical outlet was hanging from the wall by its wires in the laundry area. 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. A light fixture cover was missing from over the light in the kitchen. 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 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.
 - m. Baseboards were missing in the northeast corner bedroom. 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 entry door weatherstripping was torn and missing in sections. 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 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. Ensure the unit remains vacant as required by the Closed for Tenant Accommodation Order. Do not allow re-occupancy of the unit until the Closed for Tenant Accommodation Order is rescinded by an Executive Officer of Alberta Health Services.
 - b. Re-instate hot and cold running water.
 - c. Hire an exterminator to eradicate the mouse infestation. Provide copies of treatment reports to an Executive Officer of Alberta Health Services.
 - d. Repair the patio door and/or the patio door lock so that the patio door is properly functional and lockable.
 - e. Reconnect the laundry dryer vent.
 - f. Repair or replace the bathroom exhaust fan.
 - g. Properly install the electrical outlet in the laundry area.
 - h. Replace the light fixture cover on the kitchen light.
 - i. Refinish the stairwell banister.
 - j. Replace baseboards in the northeast corner bedroom.
 - k. Replace the weatherstripping on the entry door.

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, amending the Closed for Tenant Accommodation Order issued on February 4, 2022.

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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