

**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: 905 1 Street NW - Basement

RE: Those housing premises located in Calgary, Alberta and municipally described as: 905 1 Street NW - 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 side panel of the kitchen cupboard at the left end of the counter was water damaged. About 58.8% of moisture was detected in this area.
- b. Mould was found on the dry wall behind the new dry wall in the kitchen cupboard beside the water damaged side panel.
- c. The kitchen and living room window were not closing properly and as such they were not weatherproof.
- d. The insect screens installed on the kitchen and living room windows were smaller than the actual window opening.
- e. There was a hole on the wall at the bottom of the staircase before the door to the basement unit.
- f. The wall between the stove and the bathroom door was not finished.
- g. The laminate flooring in the living room under the carpet had gaps that make cleaning difficult.
- h. A few of the floor tiles in the living room were cracked.
- i. There was a small chip on the kitchen counter.
- j. Spindles were missing on the guard rail along the exterior staircase.
- k. The window beside the back entry door was missing an insect screen.
- l. There was a gap on the left side of the back entry door and as such it was not weatherproof.

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 side panel of the kitchen cupboard at the left end of the counter was water damaged. About 58.8% of moisture was detected in this area. This is in 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.

- b. Mould was found on the dry wall behind the new dry wall in the kitchen cupboard beside the water damaged side panel. This is in 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.
- c. The kitchen and living room window were not closing properly and as such they were not weatherproof. This is in 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.
- d. The insect screens installed on the kitchen and living room windows were smaller than the actual window opening. This is in 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.
- e. There was a hole on the wall at the bottom of the staircase before the door to the basement unit. This is in 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.
- f. The wall between the stove and the bathroom door was not finished. This is in 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.
- g. The laminate flooring in the living room under the carpet had gaps that make cleaning difficult. This is in 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.
- h. A few of the floor tiles in the living room were cracked. This is in 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.
- i. There was a small chip on the kitchen counter. This is in contravention of section IV(14)(a)(iii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.
- j. Spindles were missing on the guard rail along the exterior staircase. This is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.
- k. The window beside the back entry door was missing an insect screen. This is in 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.

- i. There was a gap on the left side of the back entry door and as such it was not weatherproof. This is in 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 October 26, 2018
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

Basement

- a. Remove all water damaged and mouldy building materials in the kitchen area. Ensure the leak is fixed and ensure the area is dry before re-building. Replace and finish the new material.
 - b. Install weatherstripping along all windows. Ensure all openable windows can properly close and are weatherproof.
 - c. Install tight fitting insect screens on all openable windows.
 - d. Repair and finish the wall at the bottom of the staircase before the door to the basement unit.
 - e. Paint the wall between the stove and the bathroom door.
 - f. Repair the laminate floors. Ensure there are no gaps in the floor.
 - g. Repair or replace the cracked living room floor tiles.
 - h. Seal and finish the chip on the counter. Ensure the counter is smooth, non absorbent, and easy to clean.
 - i. Install spindles on the guard rail. Ensure the gap between all spindles are less than 4 inches apart.
 - j. Install an insect screen on the window by the back entry door.
 - k. Install weatherstripping along the back 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.
 4. All work listed in paragraph 2 above must be completed to the satisfaction of an Executive Officer of Alberta Health Services by **December 28, 2018**

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, October 12, 2018

Confirmation of a verbal order issued to Eva Yuen on October 11, 2018

Melody Lee, CPHI(C)
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: <http://www.health.alberta.ca/about/PHAB.html>

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: www.health.alberta.ca/about/health-legislation.html

AIRDRIE Regional Health Centre

604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
Fax: 403-912-8410

BANFF Health Unit

303 Lynx Street
PO Box 1266
Banff, AB T1L 1B3
Phone:403-762-2990
Fax: 403-762-5570

CALGARY - Southport Atrium

10101 Southport Road SW
Calgary, AB T2W 3N2
Phone:403-943-2288
Fax: 403-943-8056

CANMORE Public Health

#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
Fax: 403-678-5068

CLARESHOLM Health Unit

5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403 625-4061
Fax: 403-625-4062

COCHRANE Community Health Centre

60 Grande Boulevard
Cochrane, AB T4C 0S4 Phone:
403-851-6000
Fax:403- 851-6009

OKOTOKS Health and Wellness Centre

11 Cimarron Common
Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

STRATHMORE Public Health Office

650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244

www.albertahealthservices.ca/eph.asp