

ORDER OF AN EXECUTIVE OFFICER

To: MD Shafiqul Islam
And
Mohsina Ara

“the Owner”

RE: Those housing premises located in Calgary Alberta and municipally described as:

1505 39 Street SE - 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 basement bedroom windows were too small for egress. The openable area measured approximately 12”x20.5”.
- b. Mouse droppings were observed in the west bedroom.
- c. There was no smoke alarm near the bedrooms.
- d. The washroom fan cover was not secured to the ceiling.
- e. The drywall and baseboard behind the toilet was water damaged.
- f. The caulking on the shower surround was mouldy and covered with tape.
- g. The west bedroom door trim was missing.
- h. The paint on drywall around the vent cover in the west bedroom was peeled off.
- i. The baseboard in the kitchen beside the refrigerator was water damaged.

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 basement bedroom windows are too small for egress. The openable area measured approximately 12”x20.5”. This is in contravention of Section 3(B), in 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. Therefore it is also in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
- b. Mouse droppings were observed in the west bedroom. This is in 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.

- c. There was no smoke alarm near the bedrooms. This is in contravention of section IV(12) of the Minimum Housing and Health Standards which states that: Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway.
- d. The washroom fan cover was not secured to the ceiling. This is in contravention of
- e. The drywall and baseboard behind the toilet was water damaged. 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.
- f. The caulking on the shower surround was mouldy and covered with tape. 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.
- g. The west bedroom door trim was missing. 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. The paint on drywall around the vent cover in the west bedroom was peeled off. 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. The baseboard in the kitchen beside the refrigerator was water damaged. 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.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install egress compliant bedroom windows which meet all requirements in Section 3 of the Minimum Housing and Health Standards.
 - b. Hire a pest management company to treat and eradicate the mouse infestation. Provide the pest control documentation to an Executive Officer of Alberta Health Services.
 - c. Install a fully functional smoke alarm.
 - d. Secure the bathroom fan cover to ceiling.
 - e. Find and repair the source of water infiltration in the washroom and kitchen.
 - f. Remove all water damaged material in the washroom and kitchen and replace them with new material that is smooth, easily cleanable, and impervious to moisture.
 - g. Remove tape and mouldy caulking in the shower surround and re-caulk the joints.
 - h. Install door trim for west bedroom door.
 - i. Paint damaged drywall in the west bedroom.
2. The work referred to in paragraph 1 shall be completed by August 1, 2017.

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, July 18, 2017

Confirmation of a verbal order issued to Mohsina Ara on July 17, 2017.

Rikkie Ma, CPHI(C)
Executive Officer
Alberta Health Services

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, Telus Plaza 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.

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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