

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

**To:** Ernest R Shymka  
"the Owner"

**And To:** Frances M Shymka  
"the Owner"

**And To:** Shirley Corsie  
"the Property Manager"

**And To:** All Occupant(s) of the following Housing premises: 7828 7 Street NW – Basement Unit

**RE:** Those housing premises located in Calgary, Alberta and municipally described as: 7828 7 Street NW – Basement Unit.

**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 were exposed electrical wires throughout the basement.
- b. The floor installed between the basement and the main floor staircase near the side entrance was in disrepair. The finish had peeled off in several areas exposing the subfloor beneath.
- c. The stairs leading into the basement were improperly finished. The stairs had rough surfacing, no nosing, and were covered with material down the center that could present a tripping hazard.
- d. The walls along the staircase leading into the basement were unfinished. The walls were constructed of plywood and had exposed nails/screws sticking out.
- e. The walls within the basement were unfinished. The insulation was exposed and flammable materials, such as utility blankets and plywood, were being used in place of drywall.
- f. The ceiling within the basement was unfinished. The insulation was exposed and flammable materials, such as utility blankets and cardboard, were being used in place of drywall.
- g. The flooring installed within the basement was unfinished in certain areas. There were portions of bare cement mixed amongst wood, laminate, and tile flooring. In addition, the different types of materials were not properly connected and posed a trip hazard.
- h. There was no kitchen sink installed.

- i. There was an active sewer back-up in the utility/laundry room. The sewage was covering a significant portion of the cement flooring and appeared to seep underneath the room's fixtures. A few wooden boards had been placed over top of the back-up in order to cover up the pool of sewage that had accumulated and allow for access to the laundry.
- j. The bedroom window was too small for emergency egress.
- k. There was evidence of a mouse infestation on-site. Droppings were observed throughout the property.
- l. There was no smoke alarm installed near the bedroom.
- m. The exterior side door did not seal properly. The weatherstripping was damaged and there was a significant gap directly to the outdoors observed between the door and the frame.

**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 were exposed electrical wires throughout the basement. This is in 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.
- b. The floor installed between the basement and the main floor staircase near the side entrance was in disrepair. The finish had peeled off in several areas exposing the subfloor beneath. 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.
- c. The stairs leading into the basement were improperly finished. The stairs had rough surfacing, no nosing, and were covered with material down the center that could present a tripping hazard. 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.
- d. The walls along the staircase leading into the basement were unfinished. The walls were constructed of plywood and had exposed nails/screws sticking out. 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.
- e. The walls within the basement were unfinished. The insulation was exposed and flammable materials, such as utility blankets and plywood, were being used in place of drywall. 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 ceiling within the basement was unfinished. The insulation was exposed and flammable materials, such as utility blankets and cardboard, were being used in place of drywall. 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 flooring installed within the basement was unfinished in certain areas. There were portions of bare cement mixed amongst wood, laminate, and tile flooring. In addition, the different types of materials were not properly connected and posed a trip hazard. 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. There was no kitchen sink installed. This is in contravention of Section IV(14)(a)(i) of the Minimum Housing and Health Standards, which states that: Every housing premises shall be provided with a food preparation area, which includes a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation.
  - i. There was an active sewer back-up in the utility/laundry room. The sewage was covering a significant portion of the cement flooring and appeared to seep underneath the room's fixtures. A few wooden boards had been placed over top of the back-up in order to cover up the pool of sewage that had accumulated and allow for access to the laundry. This is in 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, pump-out sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
  - j. The bedroom window was too small for emergency egress. This is in contravention of Section III(3)(b)(i) of the Minimum Housing and Health Standards, which states that: Windows referred to in Section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15").
  - k. There was evidence of a mouse infestation on-site. Droppings were observed throughout the property. 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.
  - l. There was no smoke alarm installed near the bedroom. 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.
  - m. The exterior side door did not seal properly. The weatherstripping was damaged and there was a significant gap directly to the outdoors observed between the door and the frame. 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 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. Properly secure the electrical wires.
  - b. Repair or replace the damaged flooring.
  - c. Refinish the stairs leading into the basement. Ensure the stairs are smooth, have appropriate nosing, and do not present a tripping hazard.
  - d. Remove the plywood leading into the basement and replace it with properly finished drywall.
  - e. Properly finish the basement walls.
  - f. Properly finish the basement ceiling.
  - g. Properly finish the basement flooring.
  - h. Install a proper kitchen sink. Ensure the sink is suitably sized and supplied with potable hot and cold running water.
  - i. Investigate and correct the source of the sewer back-up. Ensure all materials affected by the back-up are removed and replaced.
  - j. Install an egress window that meets the requirements of Section III(3)(b) of the Minimum Housing and Health Standards in the bedroom.
  - k. Hire the services of a professional pest control company to inspect, treat, and eradicate the mouse infestation. Provide documentation of the work completed to an Executive Officer of Alberta Health Services.
  - l. Install a functioning smoke alarm near the bedroom.
  - m. Repair or replace the weatherstripping. Ensure the door is tight-fitting and maintained in a weatherproof condition
  
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, November 21, 2022.  
Confirmation of a verbal order issued to Shirley Corsie on November 16, 2022.

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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<https://www.ahs.ca/eph>