

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

To: Gogorenko Roy
"the Owner"

And To: All Occupant(s) of the following Housing premises: 115 Dovercliffe Way SE - Garage.

RE: Those housing premises located in Calgary, Alberta and municipally described as:
115 Dovercliffe Way SE - Garage.

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. Occupant was currently using a propane tank and heater appliance.
- b. Wood furnace was observed in the garage; it appears to have recently been in use. The exhaust hood was vented to the outside however there was a gap in the ceiling of the garage.
- c. There was no kitchen available.
- d. There was no washroom available.
- e. The garage was not insulated.
- f. There were no utilities available.
- g. There was no plumbing available.
- h. The garage door was not sealed properly.

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. Occupant was currently using a propane tank and heater appliance. This is a contravention of section 5(2) of the Housing Regulation AR173/1999 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 and Health Standards which states that: All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of at least 22 C(71 F), or maintained at a temperature of at least 22 C(71 F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.

- b. Wood furnace was observed in the garage; it appears to have recently been in use. The exhaust hood was vented to the outside however there was a gap in the ceiling of the garage. This is a contravention of section 5(2) of the Housing Regulation AR173/1999 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 and section IV(8)(a)(i) of the Minimum Housing and Health Standards which states that: All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of at least 22 C(71 F), or maintained at a temperature of at least 22 C(71 F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
- c. There was no kitchen available. This is in contravention of section IV(14)(a)(iv) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C.
- d. There was no washroom available. This is in contravention of section IV(7) of the Minimum Housing and Health Standards which states that: Except where exempt by regulation, every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower.
- e. The garage was not insulated. 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 and section III(2)(b)(ii) of the Minimum Housing and Health Standards which states that: In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.
- f. There were no utilities available. This is in contravention of section IV(8)(d) of the Minimum Housing and Health Standards which states that: Every owner of a housing premises shall ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant.
- g. There was no plumbing available. This is in contravention of section IV(6) of the Minimum Housing and Health Standards which states that: Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system.
- h. The garage door was not sealed properly. 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 September 15, 2023.

2. That the above noted premises shall remain closed to tenant accommodation purposes until such time as it is brought into full compliance with the Housing Regulation and the Minimum Housing and Health Standards to the satisfaction of an Executive Officer of Alberta Health Services.

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, September 7, 2023
Confirmation of a verbal order issued to Gogorenko Roy on September 6, 2023.

Executive Officer
Environmental Health Officer

Copy Safer Communities and Neighbourhoods

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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www.albertahealthservices.ca/eph.asp