

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

To: 812161038 Incorporated
"the Owner"

&

Maymee Lum
"the Director"

And To: All Occupant(s) of the following Housing premises: 1543 34 Avenue SW – Unit 5

RE: Those housing premises located in Calgary, Alberta and municipally described as:
1543 34 Avenue SW – Unit 5

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 roof of the building had several active leaks. A tarp has been being used for several years to cover over damaged sections of the roof.
- b. There were cracks and water damage on the living room wall and ceiling, there was water damage on the bedroom ceiling, and water was infiltrating into the unit at the time of inspection. Water infiltrating into the unit was being collected in buckets and a cooking pot. Roof leaks and water infiltration into the unit were first brought to the owner's attention three years ago.
- c. The wall and ceiling around the north-facing living room window were water damaged and saturated with moisture. Readings taken by a moisture meter showed moisture levels between 80% and 90%.
- d. The top element of the oven did not work.
- e. The vinyl floor in the kitchen was lifting in sections.
- f. The vinyl floor in the bathroom was lifting around the perimeter.
- g. The caulking around the tub was separated from the wall.
- h. Windowpanes were missing from the west-facing main bedroom window and the office room window.

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 roof of the building had several active leaks. A tarp has been being used for several years to cover over damaged sections of the roof. This is in contravention of section III(2)(a) of the Minimum Housing and Health Standards which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- b. There were cracks and water damage on the living room wall and ceiling, there was water damage on the bedroom ceiling, and water was infiltrating into the unit at the time of inspection. Water infiltrating into the unit was being collected in buckets and a cooking pot. Roof leaks and water infiltration into the unit were first brought to the owner's attention three years ago. 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 wall and ceiling around the north-facing living room window were water damaged and saturated with moisture. Readings taken by a moisture meter showed moisture levels between 80% and 90%. 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.
- d. The top element of the oven did not work. 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.
- e. The vinyl floor in the kitchen was lifting in sections. This is in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
- f. The vinyl floor in the bathroom was lifting around the perimeter. This is in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.
- g. The caulking around the tub was separated from the wall. This is in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.
- h. Windowpanes were missing from the west-facing main bedroom window and the office room window. This is in contravention of 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.

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 June 30, 2022.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Hire a roofing contractor to replace the roof and provide documentation detailing all work completed to an Executive Officer of Alberta Health Services.
 - b. Remove all water damaged material from the living room and bedroom wall and ceiling. Replace with new building materials and refinish the areas only after the roof has been repaired.
 - c. Repair or replace the oven so both elements are in proper working condition.
 - d. Repair or replace the flooring around the perimeter of the bathroom and kitchen.
 - e. Replace the caulking around the bathtub.
 - f. Replace missing windowpanes.
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, June 23, 2022

Confirmation of a verbal order issued to Nick Lum “the Property Manager” at 10 am on June 23, 2022.

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, 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 Alberta Health Services at 1-833-476-4743 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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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