

**ORDER OF AN EXECUTIVE OFFICER  
UNFIT FOR HUMAN HABITATION  
ORDER TO VACATE**

**To:** Raymond Yu Chee Chih  
"the Owner"

**And To:** All Occupant(s) of the following Housing premises: 3418 35 Avenue SE

**RE:** Those housing premises located in Calgary, Alberta and municipally described as:  
3418 35 Avenue SE

**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 front-facing living room window and the north-facing basement bedroom window glass panes were shattered, exposing the rooms to the outside environment.
- b. The small basement window beside the front entry was badly cracked.
- c. There was a large hole in the upstairs living room floor right through to the basement below.
- d. The egress window in the west-facing basement bedroom was boarded up.
- e. The basement furnace room was being used as a bedroom. There was no egress window in this room, and walls, ceiling and floor were unfinished.
- f. There was substantial clutter and debris in various areas of the home, including on the main floor and basement hallways, stairwell, front entryway, upstairs living room, and the furnace room.
- g. The smoke alarm on the main floor was not functional.
- h. There were loose electrical wires running down the stairwell.
- i. The deadbolt locking mechanism on the front door had been removed, creating a hole in the door where the lock should be.
- j. A large piece of drywall had been removed from the north-facing upstairs bedroom, and also from beside the kitchen cupboards.
- k. There was unfinished drywall inside the of medicine cabinet in the main floor washroom.
- l. The door for the north-facing main floor bedroom was cracked/dented.
- m. There ceiling along the stairwell where an electrical cord enters from the wall was damaged.
- n. Doorway trim pieces had been removed on various doorways in the home, exposing raw wood and bare drywall edges.
- o. The floors throughout the home were damaged and dirty.
- p. Flooring transition strips were missing.
- q. The yard outside of the home was cluttered.

**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 front-facing living room window and the north-facing basement bedroom window glass panes were shattered, exposing the rooms to the outside environment. This is in contravention of the Minimum Housing and Health Standards section 2(b)(i), which states that all windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- b. The small basement window beside the front entry was badly cracked. This is in contravention of the Minimum Housing and Health Standards section 2(b)(i), which states that all windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- c. There was a large hole in the upstairs living room floor right through to the basement below. This is in contravention of the Minimum Housing and Health Standards section 1(a,d), which states that the housing premises shall be structurally sound.
- d. The egress window in the west-facing basement bedroom was boarded up. This is in contravention of the Minimum Housing and Health Standards section 3(b)(i), which states that for buildings 3 stories 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.
- e. The basement furnace room was being used as a bedroom. There was no egress window in this room, and walls, ceiling and floor were unfinished. This is in contravention of the Minimum Housing and Health Standards section 3(b)(i), which states that for buildings 3 stories 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 and of section 5, 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. There was substantial clutter and debris in various areas of the home, including on the main floor and basement hallways, stairwell, front entryway, upstairs living room, and the furnace room. This is in contravention of the Minimum Housing and Health Standards section 16, which states that the owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition.
- g. The smoke alarm on the main floor was not functional. This is in contravention of the Minimum Housing and Health Standards section 12(a), which states that smoke alarms shall be operational and in good repair at all times.
- h. There are loose electrical wires running down the stairwell. This is in contravention of the Minimum Housing and Health Standards section 11, which states that outlets, switches, and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
- i. The deadbolt locking mechanism on the front door had been removed, creating a hole in the door where the lock should be. This is in contravention of the Minimum Housing and Health Standards section 3(a), which states that exterior windows and doors shall be capable of being secured.

- j. A large piece of drywall had been removed from the north-facing upstairs bedroom, and in the kitchen beside the cupboards. This is in contravention of the Minimum Housing and Health Standards section 5, 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.
- k. There was unfinished drywall inside the of medicine cabinet in the main floor washroom. This is in contravention of the Minimum Housing and Health Standards section 5, 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.
- l. The door for the north-facing main floor bedroom was cracked/dented. This is in contravention of the Minimum Housing and Health Standards section 5, 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.
- m. There ceiling along the stairwell where an electrical cord enters from the wall was damaged. This is in contravention of the Minimum Housing and Health Standards section 5, 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.
- n. Doorway trim pieces had been removed on various doorways in the home, exposing raw wood and drywall edges. This is in contravention of the Minimum Housing and Health Standards section 5, 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.
- o. The floors throughout the home were damaged and dirty. This is in contravention of the Minimum Housing and Health Standards section 5, 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.
- p. Flooring transition strips were missing. This is in contravention of the Minimum Housing and Health Standards section 5, 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.
- q. The yard outside of the home was cluttered. This is in contravention of the Alberta Regulation 173/99 section 5(2) in 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 WHEREAS**, by virtue of the foregoing, the above noted premises are hereby declared to be **Unfit for Human Habitation**.

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

1. That the occupants vacate the above noted premises on or before March 2, 2023.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

- a. Replace all cracked and broken windows. Clean up all pieces of glass from the shattered window, both inside and outside the home.
- b. Repair the hole in the main floor living room.
- c. Remove the obstruction from the west-facing basement bedroom egress window.
- d. Ensure the furnace room is not being used for sleeping purposes.
- e. Remove the excess clutter/debris from in and around the home.
- f. Ensure the smoke alarms in the home are functional.
- g. Ensure the electrical wiring in the home is properly installed.
- h. Install a lock on the front entry door.
- i. Replace and refinish the missing pieces of drywall in the north-facing main floor bedroom and the kitchen.
- j. Finish the drywall inside of the medicine cabinet.
- k. Repair or replace the door for the north-facing main floor bedroom.
- l. Repair and refinish the damaged ceiling area in the stairwell.
- m. Install doorway trim pieces where missing.
- n. Repair the flooring where damaged or missing.
- o. Install flooring transition pieces where missing.
- p. Remove excess clutter from the yard.

- 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 vacant and secure from unauthorized entry.

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, March 3 2023

Confirmation of a verbal order issued to Raymond Yu Chee Chih on March 2, 2023.

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](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>

Template revised October 13, 2022

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