

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

To: Chok Yeung
Philip Tong
“the Owner”

And To: All Occupant(s) of the following Housing premises: 4203 19 Ave SE

RE: Those housing premises located in Calgary, Alberta and municipally described as: 4203 19 Ave 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. Drug paraphernalia, including unknown white powder in the northwest basement bedroom, was observed scattered throughout the property.
- b. A Hasp and locking mechanism was installed on the door frame of the main level southeast bedroom.
- c. A Hasp and locking mechanism was installed on the door frame of the basement east bedroom.
- d. The dryer vent hose was disconnected, exposing a hole in the concrete foundation.
- e. The area around the furnace was cluttered with junk and garbage.
- f. The light switch cover by the front door was missing.
- g. The electrical outlet covers were missing in the main level southeast bedroom.
- h. The light switch cover near the staircase leading to the basement was missing.
- i. The light switch cover in the basement washroom was missing.
- j. The electrical outlet cover in the basement washroom was missing.
- k. There was exposed raw wood framing in the living room on the main level.
- l. The flooring throughout the main level was beginning to lift, cracked, and some sections were missing.
- m. The subfloor was exposed around the main level washroom hand sink.
- n. The main level washroom fan cover was missing.
- o. The drywall by the door in the main level washroom had a big hole.
- p. The vent near the floor in the main level southwest bedroom was seal-foamed shut.
- q. The ceiling vent cover was missing in the basement east bedroom.
- r. There was exposed raw wood near the basement ceiling by the staircase.
- s. The door frame was missing from inside the main level southeast bedroom.
- t. The staircase flooring material was beginning to lift and crack.
- u. The basement southwest bedroom was used for sleeping purposes. This room is unfinished.

- v. The vent cover by the front entrance near the floor was missing.
- w. The doorknob to the main level washroom was loose.
- x. There was no working smoke alarm near the bedrooms.
- y. The main level washroom fan was not working.
- z. The basement washroom was missing proper ventilation.
- aa. There was a gap around the plumbing in the main level washroom hand sink.
- bb. The living room window on the main level had an 8-inch gap that cannot be closed.
- cc. The window in the southeast bedroom on the main level was shattered and currently boarded up with plywood from the inside.
- dd. The kitchen windows were shattered and the east facing window was currently boarded up with plywood from the inside.

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. Drug paraphernalia, including unknown white powder in the northwest basement bedroom, were observed scattered throughout the property. 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.
- b. A Hasp and locking mechanism was installed on the door frame of the main level southeast bedroom. 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.
- c. A Hasp and locking mechanism was installed on the door frame of the basement east bedroom. 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.
- d. The dryer vent hose was disconnected, exposing a hole in the concrete foundation. 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.
- e. The area around the furnace was cluttered with junk and garbage. 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.
- f. The light switch cover by the front door was missing. 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.
- g. The electrical outlet covers were missing in the main level southeast bedroom. 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.

- h. The light switch cover near the staircase leading to the basement was missing. 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.
- i. The light switch cover in the basement washroom was missing. 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.
- j. The electrical outlet cover in the basement washroom was missing. 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.
- k. There was exposed raw wood framing in the living room on the main level. 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.
- l. The flooring throughout the main level was beginning to lift, cracked, and some sections were 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.
- m. The subfloor was exposed around the main level washroom hand sink. 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.
- n. The main level washroom fan cover was missing. 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.
- o. The drywall by the door in the main level washroom had a big hole. 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.
- p. The vent near the floor in the main level southwest bedroom was seal-foamed shut. 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.
- q. The ceiling vent cover was missing in the basement east bedroom. 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.
 - r. There was exposed raw wood near the basement ceiling by the staircase. 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.
 - s. The door frame was missing from inside the main level southeast bedroom. 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.
 - t. The staircase flooring material was beginning to lift and crack. 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.
 - u. The basement southwest bedroom was used for sleeping purposes. This room is unfinished. 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.
 - v. The vent cover by the front entrance near the floor 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.
 - w. The doorknob to the main level washroom was loose. 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.
 - x. There was no working 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.
 - y. The main level washroom fan was not working. This is in contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
 - z. The basement washroom was missing proper ventilation. This is in contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.

- aa. There was a gap around the plumbing in the main level washroom hand sink. 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.
- bb. The living room window on the main level had an 8-inch gap that cannot be closed. 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.
- cc. The window in the southeast bedroom on the main level was shattered and currently boarded up with plywood from the inside. 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.
- dd. The kitchen windows were shattered and the east facing window was currently boarded up with plywood from the inside. 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 Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remove all drug paraphernalia.
 - b. Remove all hasp and lock mechanisms.
 - c. Reconnect dryer hose and ensure the hole in the concrete foundation is sealed.
 - d. Remove all junk and garbage to ensure the furnace area is clear.
 - e. Install light switch covers by front door, lower-level staircase, basement, and washroom.
 - f. Install electrical outlet covers in southeast bedroom and basement washroom.
 - g. Paint and seal all the raw wood framing or install new building materials in the living room and lower level.
 - h. Repair or replace flooring on the main floor.
 - i. Repair or replace main floor washroom flooring.
 - j. Install ceiling vent covers in main level washroom and basement east bedroom.
 - k. Install flooring vent cover in southwest bedroom and near front entrance.
 - l. Repair or replace drywall.
 - m. Install door frame in the southeast bedroom.
 - n. Repair or replace staircase flooring material.
 - o. Install building materials for the floor, ceilings, and wall in the basement.
 - p. Repair or replace doorknob for the main level washroom door.
 - q. Install a fully functional smoke alarm near the bedrooms.
 - r. Repair or replace main level washroom fan.
 - s. Either install an exterior window for natural ventilation or mechanical fan for mechanical ventilation.

- t. Seal exposed gap around the plumbing in the main level washroom hand sink.
 - u. Install a new living room window.
 - v. Install a new window for the southeast bedroom.
 - w. Install new kitchen windows.
2. 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, September 22, 2023
Confirmation of a verbal order issued to Philip Tong on September 20, 2023.

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
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>