

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

**To:** Lisa Yuen  
"the Owner"

**And To:** John Kong  
"the Lawyer of the Estate for Eva Yuen"

**And To:** All Occupant(s) of the following Housing premises: 4231 4 Street NW

**RE:** Those housing premises located in Calgary, Alberta and municipally described as: 4231 4 Street NW.

**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:

**Upper Floor**

- a. There was no electricity.
- b. The height of the railing on the last floor was measured approximately 26 inches high. The drop-down height was greater than 6 feet.
- c. The window above the kitchen sink could not lock.
- d. There was no smoke alarm installed on the main floor.
- e. There was no shower or faucet installed in the main floor bathroom shower.
- f. Electrical outlets in the living room and northwest bedroom were missing a cover plate.
- g. Baseboards were missing on walls in the living room, kitchen and bathroom.
- h. Trims were missing on the front entry door.
- i. The seal at the joint of the bathroom sink, and wall had deteriorated.
- j. There were holes in the bathroom linoleum flooring which exposed the subfloor.
- k. The seal at the joint of the bathroom flooring and the walls, bathtub, toilet and cabinets had deteriorated.
- l. A kitchen drawer was missing a cover.
- m. There was no weather-stripping on the front entry door. Daylight could be seen through the door when the door was completely closed.
- n. Insect screens were missing on some windows on the main floor.

## Basement

- a. There was no electricity.
- b. No smoke alarm was installed in the hallway leading to the bedrooms and living room.
- c. The basement bathroom ceiling was caving in from water damage.
- d. There were several spots of staining observed on the living room ceiling. The staining was yellow and appeared to be caused by water infiltration.
- e. Exterior window trim was missing around the windows.
- f. The south bedroom door and frame were in disrepair.
- g. The flooring located within the south bedroom was damaged and deteriorating.
- h. A medium sized area of mold growth was observed on the utility room wall behind the laundry equipment.
- i. The dryer vent in the utility room was disconnected.
- j. The windows were not weatherproof and trim pieces were missing around the windows.
- k. The rear NW corner basement bedroom had no windowpanes and was partially covered by a loose piece of plexiglass unsecured to the building.
- l. The basement windows were all missing screens.

**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:

## Upper Floor

- a. There was no electricity on the main floor. 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.
- b. The height of the railing on the last floor was measured approximately 26 inches high. The drop-down height was greater than 6 feet. This is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.
- c. The window above the kitchen sink could not lock. This is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
- d. There was no smoke alarm installed in the main floor. 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.
- e. There was no shower head or faucet installed in the main floor bathroom shower. 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.

- f. Electrical outlet in the living room and northwest bedroom were missing a cover plate. 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. Baseboards were missing on wall in the living room, kitchen and bathroom. 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. Trims were missing on the front entry door. 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.
- i. The seal at the joint of the bathroom sink, and wall was deteriorated. 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.
- j. There were holes in the bathroom linoleum flooring which exposed the subfloor. 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.
- k. The seal at the joint of the bathroom flooring and the walls, bathtub, toilet and cabinets had deteriorated. 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. A kitchen drawer was missing a cover. This is in contravention of section IV(14)(a)(ii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: cupboards or other facilities suitable for the storage of food.
- m. There was not weather-stripping on the front entry door. Daylight could be seen through the door when the door was completely 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.
- n. Insect screens were missing on some windows on the main floor. This is in contravention of section III(2)(b)(iii) of the Minimum Housing and Health Standards which states that: During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.

## **Basement**

- o. There was no electricity in the basement. 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.

- p. No smoke alarm installed in the hallway leading to bedrooms and living room. 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.
- q. The basement bathroom ceiling was caving in from water damage. This is in contravention of section III of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition.
- r. There were several spots of staining observed on the living room ceiling. The staining was yellow and appeared to be caused by water infiltration. This is in contravention of section III(1)(a,b) of the Minimum Housing and Health Standards which states that: the housing premises shall be structurally sound, and; basements, cellars or crawl spaces shall be structurally sound, and maintained in good repair and free from water infiltration and accumulation
- s. Exterior window trim was missing around the windows. 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 south bedroom door and frame were in disrepair. 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 flooring located within the south bedroom was damaged and deteriorating. 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. A medium sized area of mold growth was observed on the utility room wall behind the laundry equipment. This is a contravention of section 5(2) of the Housing Regulation 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.
- w. The dryer vent in the utility room was disconnected. This is a contravention of section 5(2) of the Housing Regulation 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.
- x. The windows were not weatherproof and trim pieces were missing around the windows. 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.
- y. The rear NW corner basement bedroom had no windowpanes and was partially covered by a loose piece of plexiglass unsecured to the building. 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.
- z. The basement windows were all missing screens. This is in contravention of section III(2)(b)(iii) of the Minimum Housing and Health Standards which states that: During the

portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.

**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 July 17<sup>th</sup>, 2024.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

**Main floor**

- a. Restore electricity on the main floor.
- b. Modify, extend or replace the railing to measure at minimum, 42 inches high from the floor to the top of the railing.
- c. Install a lock on the kitchen window.
- d. Install a smoke alarm that is operational at all times close to the bedrooms.
- e. Install a shower head and faucet in the main floor bathroom shower.
- f. Install cover plates on all electrical outlet in the house.
- g. Install missing baseboards of on walls in the living room, kitchen and bathroom.
- h. Install missing trims on the front entry door.
- i. Reseal the joint of the bathroom sink and wall.
- j. Repair the linoleum on the bathroom floor and ensure that it is smooth and easy to clean.
- k. Reseal the joints of the bathroom floor, wall, bathtub toilet and cabinets.
- l. Install a cover on the kitchen drawer.
- m. Install weather stripping on the front entry door and ensure that the door is weatherproof.
- n. Install screens on all openable windows on the main floor.

**Basement**

- o. Restore electricity in the basement.
- p. Install a smoke alarm that is operational at all times close to the basement bedrooms.
- q. Remove the water damaged ceiling in the basement bathroom and leave it open for an inspection by an executive officer from Alberta Health Services, before covering up areas where water damaged materials have been removed. Following this inspection and approval to proceed by the executive officer, finish all damaged and opened up areas so that they are smooth, resistant to moisture and easy to clean.
- r. Identify the source of the water infiltration into the basement and repair as necessary.
- s. Install trims on the windows in the basement and ensure they are properly insulated. Refinish the affected areas.
- t. Repair or replace bedroom door and frame.
- u. Repair or replace damaged flooring in the south bedroom.
- v. Remove moldy materials from the utility room.
- w. Reconnect the dryer vent.
- x. Install trims around the windows and ensure that the windows are weatherproof.

- y. Repair the rear NW basement bedroom window so it's double paned and weatherproof.
  - z. Install window screens for all openable windows in the basement.
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 28, 2024

Confirmation of a verbal order issued to Lawyer of the Estate for Eva Yuen, John Kong on June 26, 2024.

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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Copy City of Calgary Fire, City of Calgary Police Services

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