

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

To: Eva Yuen
“the Owner”

And To: All Occupant(s) of the following Housing premises: 7703 41 Avenue NW – Unit 1

RE: Those housing premises located in Calgary, Alberta and municipally described as: 7703 41 Avenue NW – Unit 1

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 most recent documentation from professional pest management indicated that the cockroach infestation had not been eradicated. Live cockroaches were found in a neighboring unit.
- b. The windows could not lock in the northeast corner bedroom, the northwest corner bedroom and the west facing bedroom.
- c. There was a hole in the laundry vent.
- d. The light fixture covers were missing from the lights in the nook near the kitchen and the bathroom.
- e. There were two holes in the stairway wall.
- f. The flooring material on the stairwell was deteriorated.
- g. The trim was missing on the northeast corner bedroom door.
- h. The finish had deteriorated on the windowsill of northwest corner bedroom.
- i. The finish had deteriorated on the windowsill of west facing bedroom.
- j. The seals at the joint of the flooring with the walls, bathtub, toilet, and cabinet were deteriorated.
- k. Portions of the bathroom drywall finish were deteriorating or not finished.
- l. There was a hole in the wall in the area under the stairs.
- m. The cabinet door was missing from the cabinet next to the kitchen sink.
- n. The doorknob was missing from the northeast corner bedroom door.
- o. The doorknob of the west facing bedroom was not operable.
- p. The insect screens were missing in the windows of northwest corner bedroom, the northeast corner bedroom, and the patio door.
- q. The storm panes were not installed in the west facing and northeast corner bedrooms.

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 most recent documentation from professional pest management indicated that the cockroach infestation had not been eradicated. Live cockroaches were found in a neighboring unit. This is a contravention of section V(16)(a) of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises are free of insect and rodent infestations.
- b. The windows could not lock in the northeast corner bedroom, the northwest corner bedroom and the west facing bedroom. This is a 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.
- c. There was a hole in the laundry vent.
- d. The light fixture covers were missing from the lights in the nook near the kitchen and the bathroom. This is a 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.
- e. There were two holes in the stairway wall. This is a 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.
- f. The flooring material on the stairwell was deteriorated. This is a 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.
- g. The trim was missing on the northeast corner bedroom door. This is a 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. The finish had deteriorated on the windowsill of northwest corner bedroom. This is a 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 finish had deteriorated on the windowsill of west facing bedroom. This is a 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. The seals at the joint of the flooring with the walls, bathtub, toilet, and cabinet were deteriorated. This is a 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.
- k. Portions of the bathroom drywall finish were deteriorating or not finished. This is a 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.

- l. There was a hole in the wall in the area under the stairs. This is a 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 cabinet door was missing from the cabinet next to the kitchen sink. This is a 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.
- n. The doorknob was missing from the northeast corner bedroom door. This is a 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.
- o. The doorknob of the west facing bedroom was not operable. This is a 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.
- p. The insect screens were missing in the windows of northwest corner bedroom, the northeast corner bedroom, and the patio door. This is a 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.
- q. The storm panes were not installed in the west facing and northeast corner bedrooms. This is a 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 July 1, 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. Continue using the services of a professional pest control operator to inspect, treat, and eradicate the cockroach infestation. Provide documentation of work completed from professional pest management to an Executive Officer of Alberta Health Services. Documentation must indicate the affected unit, adjacent units, and common areas have been treated and that the entire complex is free of cockroaches and mice.

- b. Modify the windows or install new locks in the northeast corner bedroom, the northwest corner bedroom and the west facing bedroom so the noted windows can lock.
 - c. Repair hole in the laundry vent.
 - d. Replace the missing light fixture covers on the lights in the bathroom and the nook near the kitchen.
 - e. Repair and refinish holes in the wall of the stairway.
 - f. Repair or replace the stairway flooring.
 - g. Refinish the windowsill in the northwest corner bedroom window.
 - h. Replace missing bedroom door trim.
 - i. Refinish the windowsill in the west facing bedroom window.
 - j. Reseal the joints of the flooring with the walls, bathtub, toilet and cabinet.
 - k. Refinish the walls in the bathroom.
 - l. Repair and refinish hole in wall in the areas under the stairs.
 - m. Replace the cabinet door on the cabinet next to the kitchen sink.
 - n. Replace and properly install doorknobs on the northeast corner bedroom door and the west facing bedroom door.
 - o. Replace the missing insect screens in the northwest and northeast corner bedroom windows.
 - p. Install storm panes in the west facing and northeast corner bedrooms and patio door.
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 15, 2022
Confirmation of a verbal order issued to Eva Yuen on June 10, 2022.

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 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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10101 Southport Road SW Calgary, Alberta, Canada T2W 3N2

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