

PUBLIC HEALTH APPEAL BOARD

IN THE MATTER OF THE PUBLIC HEALTH ACT,
CHAPTER P-37, R.S.A. 2000
AND ITS REGULATIONS

IN THE MATTER OF AN APPEAL TO
THE PUBLIC HEALTH APPEAL BOARD
BY ALBERT WONG
OF THE EXECUTIVE OFFICER'S ORDER
ISSUED BY ALBERTA HEALTH SERVICES
ZONE 2 CALGARY
DATED NOVEMBER 14, 2013

A. Submissions:

Written submissions received from Albert Wong, Appellant, March 19, 2014 and April 14, 2014.

Written submissions received from Alberta Health Services Counsel, Linda Svob, dated April 9, 2014.

Board Decision:

The decision is not to extend the time for serving a notice of appeal to the Public Health Board.

B. Introduction

An Order of an Executive Officer ("Order") was issued on November 14, 2013 by Melody Wong an Executive Officer with Alberta Health Services attached as Appendix "A".

The Order was directed to Pansy Tsang and Albert Wong as owners of the housing premises located at 1319 1 Street NE, Calgary.

The Order was pursuant to s. 62 of the *Public Health Act*.

The Order set out that an inspection had been completed and several conditions existed which were or may become injurious or dangerous to the public health or which might hinder the prevention or suppression of disease.

The Order also set out breaches of the *Public Health Act*, the *Housing Regulation* and the Minimum Housing and Health Standards that the inspection disclosed. The Order directed that the owners immediately undertake and diligently pursue the completion of a list of work on the premises.

At the end of page 8 of the Order the following information appears:

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 within ten (10) days after receiving the order to the Public Health Appeal Board located at Reception, Main Floor, Telus Plaza, 10025 Jasper Avenue, Edmonton, Alberta, T5J 1S6, Telephone 780-427-2813 Fax 780-422-0914	
The terms of this Order remain in effect notwithstanding the filing or proposed filling of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.	
A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or the Public Health Appeal Board 780-427-2813.	
You are advised that all orders remain in effect pending such appeal	

The work to be undertaken by the owners as set out in the Order was to be completed by November 22, 2013.

The Order was received by Albert Wong on November 20, 2013.

On February 20, 2014 a Court of Queen's Bench Order ("QB Order") was granted regarding the premises and part of the QB Order required the owners to comply with the Order.

Albert Wong sent a letter to the Public Health Appeal Board (the "Board") dated February 24, 2014 seeking an appeal and he subsequently completed a Notice of Appeal on the prescribed form dated March 13, 2014 and received by the Board on March 19, 2014.

Both Alberta Health Services and Albert Wong were requested to provide written submissions advising when the Appellant received notice of the Order. In addition, if the Order was received more than 10 days before March 19, 2014, they were requested to provide submissions as to whether the Board should extend the time for appealing the Order and the reasons for their position.

Written submissions were received from Alberta Health Services dated April 9, 2014 and from Albert Wong on April 11, 2014.

The Board reviewed the written submissions of the Appellant and Alberta Health Services on April 29, 2014 and May 5, 2014.

C. Timing of the Appeal / The Issues

1. Whether Albert Wong appealed the Order within the required 10 day period after receiving notice of the Order.
2. If Albert Wong did not appeal the Order within the 10 day period, whether it is appropriate for the Board to extend the time for Mr. Wong to appeal the Order.

D. Facts

The *Public Health Act* sets out the time for an Appellant to appeal an Order of an Executive Officer in s.5 (3). It states:

The person referred to in subsection (2) shall commence the appeal by serving a notice of appeal in the prescribed form on the Board and the regional health authority within 10 days after receiving notice of the decision complained of, and the notice of appeal is sufficiently served if it is left at an office of the Board or regional health authority.

Albert Wong in his written submissions to the Board received April 14, 2014 states he received the Order on November 20, 2013. Although the letter received by the Board from Albert Wong on February 24, 2014 was not in the prescribed form as required by the *Public Health Act*, the intention to appeal was communicated to the Board in that letter.

The notice of appeal was served in the prescribed form on the Board on March 19, 2014. The Board finds the period from receiving the Order and serving notice of the appeal was from November 20, 2013 to March 19, 2014. This is 118 days.

This is clearly beyond the 10 days required in s.5(3) of the *Public Health Act*.

Section 5(9) of *Public Health Act* provides some discretion for the Board to extend the time for an appeal. It states:

Notwithstanding subsections (3) and (4), the Board may, if it considers it appropriate to do so, extend the time within which an appeal may be taken under subsection (3) or within which the Board must act under subsection (4).

Both Alberta Health Services and Albert Wong provided written submissions with reasons for whether it was appropriate for the Board to extend the time to appeal in this instance.

Appellant's Submissions

Albert Wong submits that he did receive the Order on November 20, 2013 but the Order had a list of deficiencies and only 2 days in which to complete the work required to address those deficiencies.

Ensuring full compliance with the Order was not practical and he was not advised by Alberta Health Services that he might be sued.

Albert Wong also submits he missed reading the information inside the boxes situated at the end of the Order which he thought was routine but was information about appealing the Order and the time frames in which to do so.

He submits that had the information not been in a box it may have made a difference for him.

AHS' Submissions

The submissions of Alberta Health Services are that the time to appeal the Order should not be extended as the period between when the Order was received and the notice of appeal was served is significantly beyond the 10 day deadline.

They submit that service of the notice of appeal was so far past the deadline that it was unreasonable.

In addition, Alberta Health Services submits that to extend the time period this far would set a precedent that would encourage other would-be appellants to similarly disregard the statutory timeframes in the Act, creating inequities and inefficiencies in the appeal process.

They submit this would result in uncertainty with respect to the enforcement of orders Alberta Health Services issues pursuant to section 62 of the *Public Health Act*.

E. Decision

The Board, after careful consideration of the facts, decided not to extend the 10 day period for serving the notice of appeal to the Board.

The Board's decision is based upon the following:

The Board finds that the delay in serving the notice of appeal was 118 days after the 10 day timeframe set out in the *Public Health Act*. This delay is a significant length of time. When there is a lengthy delay such as this, the reasons for the delay must be compelling

for the Board to find it appropriate to extend the time to commence an appeal of the Order.

The reasons for the delay provided by Albert Wong were found by the Board not to be compelling. The Board finds that a reasonable person would have seen the information in the Order setting out the time frame for appealing the Order and would have served the notice of appeal in a timely fashion.

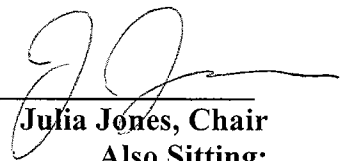
The Board does not find it reasonable that Albert Wong missed seeing the notice of appeal information in the Order because it was set out in a box. The Board finds that this would not reasonably detract one's attention away from this information but rather finds when the manner in which text is provided is changed substantially, in this particular case boxed, the intention of doing so is to highlight the information as being different and note worthy.

In addition, although Albert Wong may not have been advised by Alberta Health Services that he could appeal the Order or that a Court Order could be obtained directing compliance with the Order when he was in discussions with its representatives, the right to appeal was clearly set out in the Order. A reasonable person would have investigated his or her options, including appealing the Order, if he or she disagreed with the terms of the Order.

Finally, the Board finds that Albert Wong waited until after a QB Order was granted enforcing the Order before commencing an appeal of the Order and that conduct is another factor weighing against the extension of time.

Albert Wong did not serve notice of the appeal of the Order within the required 10 days after receiving the Order. The Board does not consider it appropriate to extend the time for appealing the Order given the length of delay in appealing and the lack of compelling reasons for the delay.

Per: _____



Julia Jones, Chair

Also Sitting:

Ron Everard, Vice-Chair

Terry Bunce, Alternate Vice-Chair

Linda Cloutier, Member

David Thomas, Member

Date: May 22, 2014

ORDER OF AN EXECUTIVE OFFICER

To: **Pansy Tsang**
"the owner"

Albert Wong
"the owner"

RE: The "housing premises" located in Calgary, Alberta and municipally described as:
1319 1 Street NE – Main, Basement, and Common.

WHEREAS I, an **Executive Officer of Alberta Health Services**, have inspected the above 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 the prevention or suppression of disease, namely:

Main

- a. Back entry door is not installed for the main suite.
- b. Living room ceiling is cracked with signs of water damage indicating that the prior roof leak was improperly repaired.
- c. Kitchen ceiling is cracked with signs of water damage.
- d. Living room window nearest to the kitchen does not lock.
- e. Mouse droppings were observed during an inspection on August 29, 2013. Since then, no entry points have been sealed. No invoice from a hired qualified pest control company was provided to the Executive Officer.
- f. Hot water from the kitchen faucet was measured at 63°C.
- g. Electrical outlet covers are missing by the main entry door.
- h. There are holes along the wall under the bedroom window facing the front yard.
- i. There is a large hole around the plumbing line on the cabinet bottom under kitchen sink.
- j. Paint is cracking and chipping off from bathroom ceiling, walls, and wall tiles by bathtub.
- k. Wall behind the kitchen counter is cracked and exposing raw wood.
- l. Wall is cracked and paint is chipping off under the bedroom window facing the front yard.
- m. There is a large hole on the wall between the living room and the kitchen. That has been partially patched with bare dry wall.
- n. Bathroom door trim is badly cracked exposing raw wood.
- o. Kitchen flooring does not extend to the wall. The ends are loose and lifting.
- p. There is a hole in the tub surround around the hose exposing bare dry wall.
- q. Kitchen cupboard doors are missing, and cupboards are cracked, and gaping. Raw wood is exposed.
- r. Counter top is not secure.
- s. Refrigerator handle is repaired with duct tape.
- t. Counter top beside the dish washer is missing, altogether exposing bare particle board.
- u. Caulking along the kitchen sink is missing.
- v. Bathtub enamel is wearing off.
- w. No insect screen installed on the window in the bathroom.

- x. No insect screen installed on the bedroom window facing the front yard.
- y. There are visible gaps to the outdoors around the front door.
- z. Door frame between kitchen and rear addition is bare wood, cracked, and not adequately secured to the wall.
- aa. The carpeting throughout the main floor is badly stained and soiled potentially compromising the subfloor beneath.
- bb. A transition bar is missing between the living room floor and the front door step, exposing a hole.
- cc. Back entry door frame is badly cracked.

Basement

- a. There is bedding outside of the bathroom. The nearest window has a dimension of less than 15 inches and there is no door in this area that provides access to the exterior of the house. On September 27, 2013 Albert Wong signed the "No rental agreement form" for Alberta Health Services stating that the area outside the bathroom and the furnace room will not be used for sleeping purposes.
- b. Mould growth was noted along the baseboards in the bathroom behind the toilet.
- c. There is no lighting at the staircase leading to the basement suite.
- d. No landing for the staircase leading from the back entry door to the basement suite.
- e. Raw wood shelving is placed right beside the electric stove presenting a fire hazard.
- f. Right back element on the stove is broken.
- g. Knobs on the stove are missing and/or melted.
- h. Caulking is missing from around the kitchen sink.
- i. A leak from the kitchen faucet is repaired with duct tape.
- j. The side of the counter is not finished and is exposing raw wood.
- k. There is a hole in the wall outside the bathroom.
- l. Paint is wearing off from the cabinet bottom under bathroom sink exposing bare particle board.
- m. There is no transition bar between carpet and flooring at the bedroom entrance.
- n. There is a hole in the kitchen ceiling.
- o. Bare dry wall exposed in the bathroom.
- p. Bare dry wall exposed on the walls along the basement suite.
- q. Wooden beam acting as a transition bar between the bathroom and the hallway at the bathroom entrance is a tripping hazard.
- r. Bottom panel of the kitchen cabinet under the sink is water damaged and in disrepair.
- s. Bathroom flooring around the toilet was found to have high levels of moisture.
- t. Vent cover missing outside the bathroom.
- u. Insect screen on the window outside of bathroom is not tight fitting.
- v. Living room window does not have an insect screen.
- w. Loose wires dangling from the ceiling from a previously existing smoke detector.
- x. The kitchen counter top was not adequately secured and could be lifted off.
- y. The carpets throughout the basement are badly soiled.
- z. Baseboards are missing from some areas in the suite.
- aa. The entry door to the basement suite is very poorly weatherproofed.
- bb. A wall is installed right against the back of the furnace, blocking access to the filter.

Common

- a. Back entry door from the laundry room to the back yard does not have a lock.
- b. Wooden board on the side of the porch acting as guard rails is chipped and nails are protruding out.
- c. There is bare wood on the interior and exterior of the house around the laundry room window.
- d. Holes are noted on the exterior cladding.
- e. Back entry door has a large gap in the bottom allowing a draft into the building.
- f. Garbage was found throughout the backyard and a medicine container found on the porch.
- g. There are large gaps in the wooden deck boards at the rear of the house.
- h. There is a large gap between the front porch boards at the door step.
- i. The integrity of the foundation is questionable.

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:

Main

- a. Back entry door is not installed for the main suite. This is in contravention of the Minimum Housing and Health Standards, Section 3 (a).
- b. Living room ceiling is cracked with signs of water damage indicating that the prior roof leak was improperly repaired. This is in contravention of the Minimum Housing and Health Standards, Section 1 (b) and 5.
- c. Kitchen ceiling is cracked with signs of water damage. This is in contravention of the Minimum Housing and Health Standards, Section 1 (b) and 5.
- d. Living room window nearest to the kitchen does not lock. This is in contravention of the Minimum Housing and Health Standards, Section 3 (a).
- e. Mouse droppings were observed during an inspection on August 29, 2013. Since then, no entry points have been sealed. No invoice from a hired qualified pest control company was provided to the Executive Officer. This is in contravention of the Minimum Housing and Health Standards, Section 16 (a).
- f. Hot water from the kitchen faucet was measured at 63°C. This is in contravention of the Minimum Housing and Health Standards, Section 9 (a).
- g. Electrical outlet covers are missing by the main entry door. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- h. There are holes along the wall under the bedroom window facing the front yard. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- i. There is a large hole around the plumbing line on the cabinet bottom under kitchen sink. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- j. Paint is cracking and chipping off from bathroom ceiling, walls, and wall tiles by bathtub. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- k. Wall behind the kitchen counter is cracked and exposing raw wood. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- l. Wall is cracked and paint is chipping off under the bedroom window facing the front yard. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- m. There is a large hole on the wall between the living room and the kitchen. That has been partially patched with bare drywall. This is in contravention of the Minimum Housing and Health Standards, Section 5.

- n. Bathroom door trim is cracked exposing raw wood. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- o. Kitchen flooring does not extend to the wall. The ends are loose and lifting. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- p. There is a hole in the tub surround around the hose exposing bare dry wall. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- q. Kitchen cupboard doors are missing, and cupboards are cracked, and gaping. Raw wood is exposed. This is in contravention of the Minimum Housing and Health Standards, Section 14 (a)(ii).
- r. Counter top is not secured on properly. This is in contravention of the Minimum Housing and Health Standards, Section 14 (a)(iii).
- s. Refrigerator handle is repaired with duct tape. This is in contravention of the Minimum Housing and Health Standards, Section 14.
- t. Counter top beside the dish washer is missing, altogether exposing bare particle board. This is in contravention of the Minimum Housing and Health Standards, Section 14 (a)(iii).
- u. Caulking along the kitchen sink is missing. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- v. Bathtub enamel is wearing off. This is in contravention of the Minimum Housing and Health Standards, Section 5 (2).
- w. No insect screen installed on the window in the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 2 (b)(iii).
- x. No insect screen installed on the bedroom window facing the front yard. This is in contravention of the Minimum Housing and Health Standards, Section 2 (b)(iii).
- y. There are visible gaps to the outdoors around the front door. This is in contravention of the Minimum Housing and Health Standards, Section 2 (b).
- z. Door frame between kitchen and rear addition is bare wood, cracked, and not adequately secured to the wall. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- aa. The carpeting throughout the main floor is badly stained and soiled potentially compromises the subfloor beneath. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- bb. A transition bar is missing between the living room floor and the front door step, exposing a hole. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- cc. Back entry door frame is badly cracked. This is in contravention of the Minimum Housing and Health Standards, Section 5.

Basement

- a. There is bedding outside of the bathroom. The nearest window has a dimension of less than 15 inches and there is no door in this area that provides access to the exterior of the house. On September 27, 2013 Albert Wong signed the "No rental agreement form" for Alberta Health Services stating that the area outside the bathroom and the furnace room will not be used for sleeping purposes. This is in contravention of the Minimum Housing and Health Standards, Section 3 (b)(i).
- b. Mould growth was noted along the baseboards in the bathroom behind the toilet. This is in contravention of the Housing Regulation Section 5 (2).
- c. There is no lighting at the staircase leading to the basement suite. This is in contravention of the Minimum Housing and Health Standards, Section 13.
- d. No landing installed for the stairs leading from the back entry door to the basement suite. This is in contravention of the Minimum Housing and Health Standards, Section 3 (c).

- e. Raw wood shelving is placed right beside the electric stove presenting a fire hazard. This is in contravention of the Housing Regulation Section 5 (2).
- f. Right back element on the stove is broken. This is in contravention of the Minimum Housing and Health Standards, Section 14 (a)(iv).
- g. Knobs on the stove are missing and/or melted. This is in contravention of the Minimum Housing and Health Standards, Section 14 (a)(iv).
- h. Caulking is missing from around the kitchen sink. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- i. A leak from the kitchen faucet is repaired with duct tape. This is in contravention of the Minimum Housing and Health Standards, Section 14 (a)(i).
- j. The side of the counter is not finished and is exposing raw wood. This is in contravention of the Minimum Housing and Health Standards, Section 14 (a)(iii).
- k. There is a hole in the wall outside the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- l. Paint is wearing off from the cabinet bottom under bathroom sink exposing bare particle board. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- m. There is no transition bar between carpet and flooring at the bedroom entrance. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- n. There is a hole in the kitchen ceiling. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- o. Bare dry wall exposed in the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- p. Bare dry wall exposed on the walls along the basement suite. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- q. Wooden beam acting as a transition bar between the bathroom and the hallway at the bathroom entrance. This is a tripping hazard. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- r. Bottom panel of the kitchen cabinet under the sink is water damaged and in disrepair. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- s. Bathroom flooring around the toilet was found to have high levels of moisture. This is in contravention of the Minimum Housing and Health Standards, Section 1 (b) and 5.
- t. Vent cover missing outside the bathroom. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- u. Insect screen on the window outside of bathroom is not tight fitting. This is in contravention of the Minimum Housing and Health Standards, Section 2 (b)(iii).
- v. Living room window does not have an insect screen. This is in contravention of the Minimum Housing and Health Standards, Section 2 (b)(iii).
- w. Wires dangling from the ceiling from an existing smoke detector. This is in contravention of the Minimum Housing and Health Standards, Section 11.
- x. The kitchen counter top was not adequately secured and could be lifted off. This is in contravention of the Minimum Housing and Health Standards, Section 14 (a)(iii).
- y. The carpets throughout the basement are badly soiled. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- z. Baseboards are missing from some areas in the suite. This is in contravention of the Minimum Housing and Health Standards, Section 5.
- aa. The entry door to the basement suite is very poorly weatherproof. This is in contravention of the Minimum Housing and Health Standards, Section 2 (b).
- bb. A wall is installed right against the back of the furnace, blocking access to the filter. This is in contravention of the Housing Regulation, Section 5 (2).

Common

- a. Back entry door from the laundry room to the back yard does not have a lock. This is in contravention of the Minimum Housing and Health Standards, Section 3 (a).
- b. Wooden board on the side of the porch acting as guard rails is chipped and nails are protruding out. This is in contravention of the Housing Regulation Section 5 (2).
- c. There is bare wood on the interior and exterior of the house around the laundry room window. This is in contravention of the Minimum Housing and Health Standards, Section 2 (a).
- d. Holes are noted on the exterior cladding. This is in contravention of the Minimum Housing and Health Standards, Section 2 (a).
- e. Back entry door has a large gap in the bottom allowing a draft into the building. This is in contravention of the Minimum Housing and Health Standards, Section 2 (b).
- f. Garbage was found throughout the backyard and a medicine container found on the porch. This is in contravention of the Housing Regulation Section 5 (2).
- g. There are large gaps in the wooden deck boards at the rear of the house. This is in contravention of the Minimum Housing and Health Standards, Section 1 (a) and 1 (c).
- h. There is a large gap between the front porch boards at the doorstep. This is in contravention of the Minimum Housing and Health Standards, Section 1 (a) and 1 (c).
- i. The integrity of the foundation is questionable. This is in contravention of the Minimum Housing and Health Standards, Section 1 (a).

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:

Main

- a. Secure all exterior windows and doors. Install a back door for the main floor.
- b. Using the services of a professional with expertise in roof repairs – assess and repair/replace the roof. Provide written documentation/quotes/receipts of all work done by the contractor to an Executive Officer with Alberta Health Services. Remove all water damaged materials and replace with new materials.
- c. Eliminate mice activity in the house and seal all possible entry points such as sealing the spaces around pipes with coarse steel wool. Hire a qualified pest control company if necessary.
- d. Reduce hot water temperature to 46°C – 60°C.
- e. Install electrical outlet covers.
- f. Re-finish the walls in the kitchen, bedroom, living, and bathroom, so that it is in good repair, free of cracks, holes, and in a condition that is easy to clean.
- g. Repair the bathroom door trim so that it is in good repair and raw wood is not exposed.
- h. Remove the kitchen flooring and replace with new flooring so that it extends to the wall and the ends are not loose and lifting.
- i. Replace kitchen cupboards.
- j. Ensure the counter is secured on properly.
- k. Properly repair the refrigerator handle so it is in good working condition.
- l. Install a countertop over the cupboard adjacent to the dishwasher.
- m. Install caulking along the kitchen sink.

- n. Re-glaze or replace the bathtub.
- o. Install effective insect screen over all openable windows.
- p. Weatherproof the front door.
- q. Remove the door frame and properly install a finished door frame so that it is secure and raw wood is not exposed.
- r. Remove the carpet and underlay. Assess the subfloor for water infiltration and mould growth and repair or replace as necessary. Replace with new underlay and carpet.
- s. Put in a transition bar between the living room floor and the front door step.
- t. Repair the door frame so that it is free from cracks and holes.

Basement

- a. Remove bedding outside of the bathroom. This area cannot be used for sleeping.
- b. Remove all mouldy building materials and replace with new material.
- c. Provide adequate lighting at the staircase.
- d. Put in a proper landing at the basement entry door staircase.
- e. Remove the shelf beside the stove, or re-finish the shelf so that the surface is non-absorbent and easy to clean.
- f. Repair or replace the stove so that it is in good working condition.
- g. Install caulking along the kitchen sink.
- h. Remove the duct tape and repair the kitchen sink faucet properly so that it is in good working condition.
- i. Finish the counter so that raw wood is not exposed.
- j. Re-finish the living room, kitchen, and bathroom wall and ceiling so that it is in good repair, free of cracks, holes, and easy to clean.
- k. Re-finish the cabinet bottom.
- l. Install a transition bar at the bedroom entrance.
- m. Remove the wooden beam and install a proper transition bar for the bathroom entrance.
- n. Replace the bottom panel under the kitchen sink.
- o. Remove the damaged bathroom floors and replace with new flooring.
- p. Install a vent cover outside the bathroom.
- q. Install effective insect screens for all openable windows.
- r. Properly remove or safely conceal the wires hanging from the ceiling.
- s. Ensure the counter top is secured on properly.
- t. Remove the carpet and underlay and replace with new underlay and carpet.
- u. Put in missing baseboards in the basement suite.
- v. Weatherproof the entry door to the basement suite.
- w. Remove the wall to allow access to change the filter for the furnace.

Common

- a. Install a lock for the back entry door.
- b. Remove the wooden board and put in proper guard rails for the porch in the backyard.
- c. Repair exterior cladding so that it is in a waterproof, windproof, and weatherproof condition.
- d. Install weather-stripping to ensure the back entry door is weatherproof.
- e. Remove the garbage in the backyard.
- f. Repair/Replace the front porch boards and the deck boards at the rear of the house.
- g. Hire a professional structural engineer to assess the structural integrity of the property.

2. The work referred to in paragraph 1 shall be completed by **November 22, 2013**.

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, November 14, 2013.

Melody Wong, CPHI(C)
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 within ten (10) days after receiving the order to the Public Health Appeal Board located at Reception, Main Floor. Telus Plaza, 10025 Jasper Avenue, Edmonton, Alberta, T5J 1S6, Telephone 780-427-2813 Fax 780-422-0914.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or the Public Health Appeal Board 780-427-2813.

You are advised that all orders remain in effect pending such an appeal

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: www.health.alberta.ca/about/health-legislation.html

Copy <Agency>

Order of an Executive Officer

**RE: Those premises located in Calgary, Alberta and municipally described as: 1319 1 Street NE – Main, Basement, and Common
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AIRDRIE Regional Health Centre

604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
Fax: 403-912-8410

BANFF Health Unit

303 Lynx Street
PO Box 1266
Banff, AB T1L 1B3
Phone: 403-762-2990
Fax: 403-762-5570

CALGARY - Southport Atrium

10101 Southport Road SW
Calgary, AB T2W 3N2
Phone: 403-943-2288
Fax: 403-943-8056

CANMORE Public Health

#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
Fax: 403-678-5068

CLARESHOLM Health Unit

5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403 625-4061
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**COCHRANE Community Health
Centre**

60 Grande Boulevard
Cochrane, AB T4C 0S4
Phone: 403-851-6000
Fax: 403-851-6009

**OKOTOKS Health and Wellness
Centre**

11 Cimarron Common
Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

**STRATHMORE Public Health
Office**

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Strathmore, AB T1P 1H8
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www.albertahealthservices.ca/eph.asp