



calgary health region

Southeast Community Portfolio  
Centre 15

Environmental Health  
1509 Centre Street SW  
Calgary, Alberta T2G 2E6  
Phone: (403) 943-8095  
Fax: (403) 943-8056

## EXECUTIVE OFFICER'S ORDER

**TO: Kelly Arnold**

*Of: 44 Heritage Bay, DeWinton, Alberta T0L 0X0*

**REGARDING: 44 Heritage Bay, DeWinton**

WHEREAS, pursuant to section 62 of the Public Health Act Chapter P-37 of the Revised Statutes of Alberta 2000, where after an inspection, an Executive Officer has reasonable and probable grounds to believe that a nuisance exists in or on the place that was the subject of the inspection or that the place or the owner of it or any other person is in contravention of this Act or the regulations, the Executive Officer may issue a written order.

AND WHEREAS I, an Executive Officer of the Calgary Health Region, have inspected the above noted premises and found to exist the following conditions which are or might become injurious or dangerous to the public health, or that might hinder the prevention or suppression of disease, or are in contravention of the Housing Regulation and/or the Nuisance and General Sanitation Regulation pursuant to Section 66 of the Public Health Act, namely:

- Conditions that support mould growth are evident within the premises
- Electrical system has been tampered with
- Structural and interior damage is evident in the premises
- Public health nuisance conditions are present in the premises

TAKE NOTICE that the undersigned Executive Officer hereby **ORDERS** you, the owner, of the said Premises to:

**Immediately secure the house from any and all unauthorized entry. Permission to enter must be received in writing from the undersigned Executive Officer, or a designated alternate Executive Officer, of Calgary Health Region. Entry will be authorized for the purpose of complying with this Order only and full personal protective equipment must be worn. Any other entry will be allowed only after removal of all hazardous conditions OR if personal protective equipment is worn**

**AND**

**Thoroughly and properly clean, remediate, and repair the house at the Premises in a manner acceptable to Calgary Health Region, which shall include but not be limited to:**

- a. obtaining the services of a **professional Environmental Health or Indoor Air Quality Consultant** to assess the conditions within, prepare a detailed hazardous materials

assessment report and scope of work plan, and oversee and carry out environmental air quality analyses of the interior spaces for water and mould damage, including the attic, wall and floor cavities, and crawlspaces. Testing and reporting shall follow the requirements outlined in Calgary Health Region's Fungal Air Testing Protocol and shall and must include extensive intrusive and destructive testing and shall and must include inspection and assessment of hidden cavities and surfaces such as, but not limited to, cutting access holes (or using boroscopes) into walls and ceilings, lifting carpets or vinyl sheet flooring, removing wallpaper for investigation purposes. The extent of such investigation is at the expert discretion of the consultant. The consultant shall describe in a report the building construction, finishes, materials and components and the results of their investigations along with recommendations for restoration, repair, and the remediation as required for reoccupancy of the building. **The Professional Consultant shall have current, active membership in a related professional organization or certifying body and shall be approved by Calgary Health Region.**

- b. **prior to performing any work inside**, applying for and obtaining from the Municipality all necessary permits, including Building, Electrical, Plumbing, Gas and/or Mechanical permits.
- c. obtaining the services of a **qualified/experienced electrical contractor** to make all structural and/or electrical repairs necessary and in compliance with the existing codes and requirements and ensuring that all work is inspected according to Permit. The contractor shall arrange for the proper repair, permits and inspections of any damages to the service entry site. The inspector's report shall be forwarded to Calgary Health Region
- d. obtaining the services of a **qualified/experienced heating & ventilation contractor** to ensure appliances are properly clean, connected and functioning and ensuring that all work is inspected according to Permit. The inspector's report shall be forwarded to Calgary Health Region
- e. obtaining the services of an **experienced and professional restoration and mould remediation specialist, approved by Calgary Health Region**, to remove and replace and clean, as required, any and all drywall, building materials, and finishing materials, or any other item that is or may be water damaged, infested with or damaged by mould or bacteria, and/or contaminated with chemicals or other substances of concern, and/or is generally regarded as unclean, unsanitary or unsafe under the consultation and guidance of the Professional Consultant in 1.a. **All drywall, vapour barrier and insulation throughout the basement and stairway shall be considered contaminated and shall be removed and all wood framing shall be professionally assessed for suitability after thorough cleaning. Any soft window coverings shall be removed and professionally cleaned and all carpeting throughout shall be professionally cleaned.** The Professional in 1.a. and/or 1.b. shall ensure and document in writing that this work is satisfactory and thoroughly completed in accordance with generally accepted guidelines and protocols. Refer to Mould Guidelines for the Canadian Construction Industry at [www.cca-acc.com/mould/](http://www.cca-acc.com/mould/)
- f. ensuring that general renovation work, such as painting, reinstalling drywall, or laying of new flooring or subfloors, does not occur until suitable air sample results are received and submitted and the work identified in 1.c., 1.d., and 1.e. is completed to the satisfaction of Calgary Health Region

- g. properly disposing of all chemicals and producing a valid manifest attesting to this disposal
- h. obtaining the services of a furnace cleaning company to clean the furnace and all ducts within the premises
- i. ensuring that water, gas and/or electrical services are properly reinstated by the parties governing those services
- j. providing copies of all work orders, receipts, results, photos, inspection certificates and any other documentation pertaining to the work done within, to Calgary Health Region
- k. taking any steps as may be required by the Executive Officer.

AND FURTHER TAKE NOTICE THAT you are hereby required to refrain from further creating, committing or maintaining a nuisance condition and shall comply with this Order within 30 (thirty) days from the date of this notice.

The above conditions were noted at the time of inspection any may not necessarily reflect all deficiencies. You are advised that further repairs may be required to ensure full compliance of the Housing Regulation and/or the Nuisance and General Sanitation Regulation, or to prevent a Public Health Nuisance.

This order remains in effect until the nuisance has been corrected to the satisfaction of an Executive Officer of the Calgary Health Region. Failure to comply with this order will result in further action.

**No person shall conceal, deface, destroy, or remove a notice posted pursuant to the Public Health Act.**

Dated at Calgary, Alberta, June 14, 2006

**CALGARY HEALTH REGION**

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V. Wearmouth, CPHI(C)  
Executive Officer/Public Health Inspector

*A person who: a) is directly affected by a decision of a Regional Health Authority; and  
b) feels himself or herself aggrieved by the decision*

*may appeal the decision within ten days after receiving the order to the Public Health Appeal Board located at 24<sup>th</sup> Floor, Telus Plaza, 10025 Jasper Avenue, Edmonton, Alberta T5J 2N3, phone (780) 427-2813.*

*You are advised that all orders remain in effect pending such an appeal. If you appeal you may also make an application to the Board for a stay of this Order pending the Appeal.*