

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

**To:** Gogorenko Roy  
"the Owner"

**And To:** All Occupant(s) of the following Housing premises: 115 Dovercliffe Way SE.

**RE:** Those housing premises located in Calgary, Alberta and municipally described as:  
115 Dovercliffe Way 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. There was no power in the property, the owner currently running all the appliances via power generator. Extension cords were running from exterior windows to the generator located outside.
- b. There was no gas available in the property. Heating with propane tank and heater appliance.
- c. The area around the furnace was cluttered with junk and garbage.
- d. Owner currently cooking with a propane tank and grill in the kitchen area.
- e. There was major clutter in the west bedroom, it was inaccessible.
- f. There was no smoke alarm near the bedrooms on the main floor.
- g. There were no handrails along the staircase leading to the basement and main floor.
- h. The toilet was plumbed through a garden hose which was pulled through the heating vent into the main line.
- i. Electrical light switch cover was missing for the washroom.
- j. The living room ceiling had a missing light fixture, exposing electrical live wires.
- k. The living room ceiling was peeling off and had exposed holes from light fixtures.
- l. There was a hole in the drywall near the back entrance door.
- m. The washroom vent cover was dislodged from the ceiling.
- n. The living room window was shattered.
- o. The kitchen window was single paned.
- p. There was a gap between the back entrance door and door frame.
- q. The basement southeast window was missing.

**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. There was no power in the property, the owner currently running all the appliances via power generator. Extension cords were running from exterior windows to the generator located outside. 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. There was no gas available in the property. Heating with propane tank and heater appliance. 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.
- c. 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.
- d. Owner currently cooking with a propane tank and grill in the kitchen area. This is in contravention of section IV(14)(a)(iv) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C.
- e. There was major clutter in the west bedroom, it was inaccessible. This is in contravention of section III(3)(b)(ii) of the Minimum Housing and Health Standards which states that: Windows referred to in section III(3)(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15") and section 5(2) of the Public Health Act on Housing Regulation, 2001 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. There was no smoke alarm near the bedrooms on 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.
- g. There were no handrails along the staircase leading to the basement and main floor. This is in contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, 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.
- h. The toilet was plumbed through a garden hose which was pulled through the heating vent into the main line. This is in contravention of section IV(6) of the Minimum Housing and Health Standards which states that: Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system.
- i. Electrical light switch cover was missing for the washroom. 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 living room ceiling had a missing light fixture, exposing electrical live wires. 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. The living room ceiling was peeling off and had exposed holes from light fixtures. 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. There was a hole in the drywall near the back entrance 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.
- m. The washroom vent cover was dislodged from the ceiling. This is in 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 living room window was shattered. 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.
- o. The kitchen window was single paned. 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.
- p. There was a gap between the back entrance door and door frame. 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.
- q. The basement southeast window was missing. 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 occupants vacate the above noted premises on or before September 15, 2023.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Reinstate all utilities in the property.
  - b. Remove all garbage and junk around the furnace and keep the area clear.
  - c. Remove all propane tanks in the property.
  - d. Declutter the west bedroom so egress window is accessible.

- e. Install a fully functional smoke alarm near the bedrooms.
  - f. Install handrails.
  - g. Properly plumb the toilet so it is in good working condition.
  - h. Install electrical light switch cover.
  - i. Install light fixture.
  - j. Mud, sand, and paint all damaged sections of the living room ceiling.
  - k. Repair/replace damaged section of the drywall.
  - l. Secure washroom vent cover to the ceiling.
  - m. Replace living room window.
  - n. Install another pane of glass for the kitchen window.
  - o. Install weatherstripping for the back entrance door.
  - p. Install basement southeast window.
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, September 7, 2023  
Confirmation of a verbal order issued to Gogorenko Roy on September 6, 2023.

Executive Officer  
Environmental Health Officer

Copy Safer Communities and Neighbourhoods

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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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)