

ORDER OF AN EXECUTIVE OFFICER

To: 812161038 Incorporated
“the Owner”

And

Maymee Ying Lum
“the Owner”

And

Nick Chan
“the Owner”

RE: Those housing premises located in Calgary, Alberta and municipally described as:
1543 34 Avenue SW – Common area

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 guard rail located at the top floor landing measured approximately 26 inches high.
- b. The guard rail located at the top floor landing has gaps between some areas of the spindles that measure greater than 4 inches.

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 guard rail located at the top floor landing measured approximately 26 inches high. This is in contravention of the Minimum Housing and Health Standards section III(3)(c)(i), 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.
- b. The guard rail located at the top floor landing has gaps between some areas of the spindles that measure greater than 4 inches. This is in contravention of the Minimum Housing and Health Standards section III(3)(c)(i), 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.

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:
 - a. Replace or modify the guard rail on the stairs in the common area of the dwelling to ensure the height of the guard rail measures at least 42 inches.
 - b. Replace, modify, or block the gaps on the guard rail on the stairs in the common area of the dwelling to ensure the gaps between the spindles do not exceed 4 inches apart.
2. The work referred to in paragraph 1 shall be completed by May 1st, 2024.

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, March 28, 2024.

Confirmation of a verbal order issued to Nick Chan by voicemail on March 27, 2024.

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 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 King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

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Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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