

## **ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE**

**To:** Hyatt Auto Sales Ltd.  
"the Owner"

Hyatt Investments  
"the Property management"

Perry Itzcovitch  
"the Director"

Steven Itzcovitch  
"the Director"

**RE:** The premises located in Calgary, Alberta and municipally described as:  
  
Bay 1, 4500-5 Street NE

**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 an active water leak originating from the over-head structure, the under-decking of the roofing. Water is leaking from multiple points onto surfaces inside the building, including the main gymnasium areas and on the upper mezzanine area.
- b. There was an accumulation of dust and small debris matter on surfaces in the main gymnasium and upper mezzanine areas, including but not limited to the generation of fine metal filings.

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act, and Nuisance and General Sanitation Regulation AR 243/2003 exist in and about the above noted premises, namely:

- a. There was an active water leak originating from the over-head structure, the under-decking of the roofing. Water is leaking from multiple points onto surfaces inside the building, including the main gymnasium areas and on the upper mezzanine area. This is in contravention to the Nuisance and General Sanitation Regulation, section 2(1) that states "no person shall create, commit or maintain a nuisance."
- b. There was an accumulation of dust and small debris matter on surfaces in the main gymnasium and upper mezzanine areas, including but not limited to the generation of fine metal filings. This is in contravention to the Nuisance and General Sanitation

Regulation, section 2(1) that states “no person shall create, commit or maintain a nuisance.”

**AND WHEREAS**, by virtue of the foregoing, the above noted premises are hereby declared to be **Closed**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the owner of the operation of the noted premise immediately close.
2. That the Owner and Property management immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Identify and repair the source of the water leaks from the roof above.
  - b. Hire the services of a cleaning and/or restoration company to remove any debris, including but not limited to the removal of the metal filings, and clean surfaces impacted from debris generated from the construction work on the roof.
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.

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, July 31, 2023.

Confirmation of a verbal order issued to Darlene Traviss and Hyatt Investments on July 28, 2023.

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