

**ORDER OF AN EXECUTIVE OFFICER
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE**

To: Najla Jaber
Ameer Jaber
“the Owners”

And To: All Occupant(s) of the following Housing premises:

RE: Those housing and garage premises located in Wainwright, Alberta and municipally described as: 1037 11 Avenue

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. Poor indoor air quality due to smoke and particulates being released into the air from the fire.
- b. Lack of a secondary means of egress due to the floor being removed directly in front of the back entrance.
- c. The tenants have moved into a garage on the property without any water and sewer services or bathrooms.

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. Damage to the house from a fire at the back entrance, causing severe damage to the door, door frame, floor and floor joists. This is in contravention of Section 3 of the Housing Regulation, which states that: “3(1) Subject to subsection (3) and section 4, an owner shall ensure that (a) the housing premises are (i) structurally sound, (ii) in a safe condition, (iii) in good repair, and (iv) maintained in a waterproof, windproof and weatherproof condition.”
- b. The garage that the tenants have occupied does not have any bathrooms, water or sewer services. This is in contravention of Section 3 of the Housing Regulation, which states that: “3(1) Subject to subsection (3) and section 4, an owner shall ensure that (b) the occupants of the housing premises are supplied with adequate (i) sanitary facilities, including a sanitary drainage system or private sewage disposal system, (ii) heating facilities that are capable of maintaining a habitable indoor temperature, if the housing premises are used or intended for use during all or part of the period from September 1 in one year until May 1 in the following year, (iii) running hot and cold water that is safe for human consumption.”

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Unfit for Human Habitation**.

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

1. That the occupants vacate the above noted premises, including the garage on the property, on or before June 25, 2021.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Repair all of the fire damaged areas in the house;
 - b. Remediate any air quality issues that may have arisen from the fire;
 - c. Ensure the house has an appropriate secondary means of egress.
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, including the garage, shall remain vacant and secure from unauthorized entry.

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 Wainwright, Alberta, on June 28, 2021.

Confirmation of a verbal order issued to Ameer Jaber on June 25, 2021.

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 Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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Town of Wainwright