

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

To: Cory Stewart
"the Owner"

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

RE: Those housing premises located in Wainwright, Alberta and municipally described as:
1518 7 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. Smoke alarms are not present in the housing premises;
- b. The entire housing premises presents with extensive areas of disrepair, including potential electrical and fire hazards from improperly installed electrical wiring; plumbing and heating facilities;
- c. Windows are covered by plastic vapour barrier and foam insulation which has obstructed emergency egress requirements;
- d. The housing premises is poorly maintained rendering the premises in an extremely unsanitary condition throughout; and
- e. The furnace is in disrepair such that the premises is not maintained at a habitable temperature.

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. Smoke alarms are not present in the house. This condition is in contravention of Section 12 (a) of the Minimum Housing and Health Standards, which states: "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. (a) Smoke alarms shall be operational and in good repair at all times."
- b. The furnace is in disrepair such that the housing premises is not maintained at a habitable temperature. This condition is in contravention of Section 8 (a) of the Minimum Housing and Health Standards, which states: "All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building

to a temperature of: (i) at least 22°C (71°F), or (ii) maintained at a temperature of at least 22°C when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.”

- c. The electrical system is in disrepair and exposed wires are present at multiple locations in the house. This condition is in contravention of Section 11 of the Minimum Housing and Health Standards, which states: “Every housing premises shall be supplied with electrical services. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”
- d. Exterior windows are covered with plastic vapour barrier and foam insulation which obstructs emergency egress requirements. This condition is in contravention of Section 3 (b)(i) of the Minimum Housing and Health Standards, which states: “For buildings of three stories or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without tools or special knowledge.”
- e. The housing premises is poorly maintained rendering the premises in an extremely unsanitary condition. This condition is in contravention of Section 16 of the Minimum Housing and Health Standards, which states: “The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition.”
- f. The bathroom is not equipped with proper ventilation. This condition is in contravention of Section 7 (c) of the Minimum Housing and Health Standards, which states: “All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.”

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 immediately.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install functional smoke alarms in bedroom hallways;
 - b. Repair or replace the furnace so that it is capable of maintaining a habitable temperature in the house;
 - c. Repair the electrical system so that it functions appropriately and meets all safety code requirements;
 - d. Ensure bedroom windows are unobstructed and are in compliance with health and municipal and provincial building codes;
 - e. Ensure that the premises are maintained in a clean and sanitary condition;
 - f. Ensure that the bathroom is equipped with mechanical or natural ventilation; and
 - g. Ensure that all repairs and required renovations are carried out in compliance with relevant building codes and safety code requirements.

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 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, March 20, 2019

Confirmation of a verbal order issued to Cory Stewart on March 19, 2019.

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: <http://www.health.alberta.ca/about/PHAB.html>

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: www.health.alberta.ca/about/health-legislation.html