

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

To: Derald Chmilar
"the Owner"

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

RE: Those housing premises located in Lamont County, Alberta and municipally described as:
544056 Range Road 162

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 housing premises is not provided with potable water.
- b. The sanitary drainage system or private sewage disposal system is not maintained in a proper operating condition.

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 housing premises is not provided with potable water. This is in contravention of Section 9 of the Minimum Housing and Health Standards, which states, "Every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants."
- b. The sanitary drainage system or private sewage disposal system is not maintained in a proper operating condition. This is in contravention of Section 6(a) of the Minimum Housing and Health Standards, which states, "The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pump out sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition."

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 on or before April 22, 2021.

2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure there is a continuous supply of potable water to serve the needs of the inhabitants. Should this requirement necessitate repairs to the water well, the repairs shall be conducted by a qualified professional.
 - b. Ensure the plumbing and sanitary drainage system is repaired and maintained in a proper operating condition. All work to repair the system must be completed by a certified professional and all work must meet the requirements of the Alberta Building Code as well as the Alberta Private Sewage Systems Standard of Practice.

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 Lamont, Alberta, April 7, 2021

Confirmation of a verbal order issued to Derald Chmilar (Owner) and John Thomas (Tenant) on April 6, 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.

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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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Copy: Lamont County