

ORDER OF AN EXECUTIVE OFFICER UNFIT FOR HUMAN HABITATION

To: The City of Red Deer
"the Owner"

And

Wade Martens – City of Red Deer representative

RE: Those housing premises located in Red Deer, Alberta and municipally described as:
5806 57 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. There are numerous structural, electrical, plumbing, heating, and other safety hazards throughout the housing premise.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act, the Nuisance and General Sanitation Regulation 243/2003, the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. Widespread damage and multiple holes in the drywall on the main floor. These conditions are in contravention of Section 5 of the Minimum Housing and Health Standards which states: "All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean."
- b. Excessive garbage and food debris accumulation observed throughout the house. These conditions are in contravention of Section 15 of the Minimum Housing and Health Standards which states: "Every housing premises shall have an adequate number of containers suitable for the storage of garbage and refuse awaiting final disposal." These are also in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states that: "No person shall create, commit or maintain a nuisance."
- c. The stove and refrigerator were in disrepair (i.e. missing parts) which did not allow for safe and proper operating conditions. These conditions are in contravention of Section 14(a)(iv) of the Minimum Housing and Health Standards which states that: "every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and proper operating condition."

- d. Heating facilities were not operational. 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, toilet rooms within the building to a temperature of (i) at least 22°C or (i) 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.”
- e. Electrical outlets were missing plate covers and exposed wiring was present throughout the house. These conditions are in contravention of Section 11 of the Minimum Housing and Health Standards which states: “Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in good and safe working condition.”
- f. Sewage accumulation was observed in the bathtub and sink in the main floor washroom. This condition is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states that: “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 **Unfit for Human Habitation**.

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

- 1. That the premise immediately be secured from unauthorized entry.
- 2. That the above noted premises remain vacant and secure from unauthorized entry until such time that approval is given by an Executive Officer of Alberta Health Services.

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 Red Deer, Alberta, April 5, 2023

Confirmation of a verbal order issued to Wade Martens on April 5, 2023.

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>.

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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