

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

To: 1311426 Alberta Ltd.
"the Owner"

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

RE: Those housing premises located in Trochu, Alberta and municipally described as:
Trochu Hotel, 201 Main Street – Second Floor Suite

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. Water has leaked through the roof of the premises, resulting in water damage to the rafters and ceiling joists, insulation materials, and ceiling of the suite.
- b. There is no smoke alarm installed.
- c. There is no handrail leading down the main stairs.
- d. The balcony is structurally unstable and does not have a properly built hand railing.
- e. There is an extensive pest control problem. Flying insects and mice are present in the premises.
- f. Walls, floors and ceiling are damaged and are in poor condition.
- g. Doors are missing on kitchen and bathroom cabinets.
- h. The window in the bedroom facing the street does not open properly and does not have proper emergency egress equipment to reach the ground 5 meters below.

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 roof has leaked resulting in water damage to the rafters, ceiling joists, insulation and the ceiling. This condition is contrary to the requirements of the Minimum Housing and Health Standards, section 2(a) which states: "The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition." and section 1(c) which states: "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- b. There is no smoke alarm on the second floor, and once installed it must be interconnected to the other smoke alarms in the hotel. This condition is contrary to the requirements of the Minimum Housing and Health Standards, section 12(a) which states: "Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and,

- where hall ways serve the sleeping areas; the smoke alarms shall be installed within the hallway. Smoke alarms shall be operational and in good repair at all times.”
- c. The main stairway does not have handrails; and the balcony is not structurally stable and does not have proper handrails. These conditions are contrary to the requirements of the Minimum Housing and Health Standards, section 3c(1) which states: “Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.”
 - d. There are flying insects and mice present in the premises. This condition is contrary to the requirements of the Minimum Housing and Health Standards, section 16(a) which states: “The owner shall ensure that the housing premises are free of insect and rodent infestations.”
 - e. The walls, floors and ceilings are in poor condition and require repair. This condition is contrary to the requirements of the Minimum Housing and Health Standards, section 5 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.”
 - f. There are missing, damaged and improperly installed doors on kitchen cabinets. This condition is contrary to the requirements of the Minimum Housing and Health Standards, section 1(c) which states: “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
 - g. For the bedroom facing the street, the window does not allow safe egress due to window being sealed shut and cannot be opened for egress, and it is missing a ladder to reach the ground surface 5 meters below. This condition is contrary to the requirements of the Minimum Housing and Health Standards, section 3(b)(i) which states: “For buildings of 3 storeys 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 the use of tools or special knowledge.”

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 February 29, 2020.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Take immediate measures to prevent water infiltration through the roof and remove water and mould damaged materials.
 - b. Install a smoke alarm that is interconnected to the main fire system in accordance with the requirements and specifications sited in the Fire Code Inspection report.
 - c. Repair balconies and hand railings so that they meet the requirements of the Alberta Building Code. A satisfactory inspection report from a Safety Codes Officer is required to this effect.
 - d. All flies and mice must be eliminated from the premises, and a report from a pest control company must be provided indicating that pest control measures have been implemented.
 - e. All walls, floors and ceilings must be repaired and be maintained in a proper state of repair.

- f. Doors and drawers of all kitchen and bathroom cabinets, must be installed and maintained in proper state of repair.
 - g. The window facing the street must allow for safe emergency egress. It must be modified to meet the requirements of the Alberta Building Code for emergency egress from a two story building. A satisfactory inspection report to this effect must be provided from a Fire Safety Code Inspector.
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 Stettler, Alberta, February 24, 2020

Confirmation of a verbal order issued to Young Sik Hwang, Director on February 24, 2020.

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>

Template revised Feb 20, 2020

Copy: Town of Trochu