

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

To: Roger Morin
"the Owner"

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

RE: Those housing premises located in Morinville, Alberta and municipally described as:
11202 100 Street.

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 foundation of the premises is not maintained in good repair, safe condition and is not structurally sound. Horizontal and vertical cracks are present in foundation walls. A hole was noted in the foundation wall located besides the front door. Accumulation of water is present in the basement. Wall Insulation and polypropylene sheets are being used to cover holes present in the foundation wall. Exterior cladding is missing around the basement exterior wall.
- b. All finishes (floor, ceiling, doors and walls) including the kitchen and the washroom were in disrepair throughout the premises. Flooring is either lifted, cracked, contained holes, or is missing. Transition pieces and baseboards are either missing or damaged. Exposed insulation is present in the front entry way. Holes and cracks are present in walls throughout the premises. Cardboard boxes are being used to cover damaged walls and doors. Wallpaper and packing tape are being used to cover bathroom wall. Cracks and holes are present in the ceiling throughout the premises. Water damage is present on the ceiling of back bedroom located on the main floor.
- c. A smoke alarm located in the kitchen area is not operational.
- d. Kitchen countertops are damaged. Cracks and holes present in the countertops create areas that are difficult to clean and sanitize.
- e. Electrical deficiencies are present in the premises. An exposed electrical wire is present for the premises thermostat. Electrical switch covers/plates are missing at various locations. Electrical covering appeared brittle.
- f. An exposed plumbing line is present underneath the kitchen sink. This line is running towards the bathroom hand washing sink.
- g. The premises contains clutter and refuse materials which has created tripping and fire hazards. The premises is maintained in an unsanitary state that could harbour pest and create an odor.

- h. The septic tank lid is not secured. A rock is being used to cover the access holes of both septic tanks.
- i. Front door staircase and porch materials are deteriorating.

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 foundation of the premises is not maintained in good repair, safe condition and is not structurally sound. Horizontal and vertical cracks are present in foundation walls. A hole was noted in the foundation wall located besides the front door. Accumulation of water is present in the basement. Wall Insulation and polypropylene sheets are being used to cover holes present in the foundation wall. Exterior cladding is also missing from the basement exterior wall which is in contravention of Section 1 (a) (b) (c) of Alberta's Minimum Housing and Health Standards, which states, "**Good repair, safe condition and structurally sound (a) The housing premises shall be structurally sound. (b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation. (c)**" and Section 2 (a) of Alberta's Minimum Housing and Health Standards, which states, "**Roof and exterior cladding. The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition**".
- b. All finishes (floor, ceiling, doors and walls) including the kitchen and the washroom were in disrepair throughout the premises. Flooring is either lifted, cracked, contained holes, or is missing. Transition pieces and baseboards are either missing or damaged. Exposed insulation is present in the front entry way. Holes and cracks are present in walls throughout the premises. Cardboard boxes are being used to cover damaged walls and doors. Wallpaper and packing tape are being used to cover bathroom wall. Cracks and holes are present in the ceiling throughout the premises. Water damage is present on the ceiling of back bedroom located on the main floor which is in contravention of Section 5 of Alberta's 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. (a) Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower. (b) Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean**".
- c. A smoke alarm located in the kitchen area is not operational which is in contravention of Section 12 of Alberta's 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 repairs at all times**".
- d. Kitchen countertops are damaged. Cracks and holes present in the countertops create areas that are difficult to clean and sanitize which is in contravention of Section 14 (a) of Alberta's Minimum Housing and Health Standards, which states, "**Every housing premises shall be provided with a food preparation area, which includes: (i) a**

kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation; and (ii) cupboards or other facilities suitable for the storage of food; and (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; and (iv) a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. (40F)”.

- e. Electrical deficiencies are present in the premises. An exposed electrical wire is present for the premises thermostat. Electrical switch covers/plates are missing at various locations. Electrical covering appeared brittle which is in contravention of Section 11 of Alberta’s 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 a good and safe working condition”**.
- f. An exposed plumbing line is present underneath the kitchen sink. This line is running towards the bathroom hand washing sink which is in contravention of Section 2 of Alberta’s Housing Regulation AR 173/99, which states, **“An owner shall ensure that the housing premises’ plumbing system and facilities provided under subsection (1) (b) are free from defects and maintained in proper operating condition”**.
- g. The premises contains clutter and refuse materials which has created tripping and fire hazards. The premises is maintained in an unsanitary state that could harbour pest and create an odor which is in contravention of Section 5 (2) of Alberta’s Housing Regulation AR 173/99, which states, **“No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease”**.
- h. The septic tank lid is not secured. A rock is being used to cover the access holes of both septic tanks which is in contravention of Section 2 of Alberta’s Housing Regulation AR 173/99, which states, **“An owner shall ensure that the housing premises’ plumbing system and facilities provided under subsection (1) (b) are free from defects and maintained in proper operating condition”**.
- i. Front door staircase and porch materials are deteriorating which is in contravention of Section 3 (c) (i) of Alberta’s Minimum Housing and Health Standards, 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”**.

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:
 - a. Create a written plan (including contacting other rental properties to vacate) the above noted premises on or before July 15, 2022.

- b. Vacate the above noted premises on or before July 31, 2022.
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 the missing cladding, repair all cracks and holes present in foundation walls. Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced. These repairs and modifications must be approved by either a professional structural engineer or a Safety Codes Officer (Building Discipline). The housing premises/basement shall be structurally sound, maintained in a good repair and free from water infiltration and accumulation.
 - b. Replace or repair all damaged and missing finishes throughout the premises including kitchen and bathroom and ensure that they are maintained in a good repair, free of cracks, holes, loose or lifting condition and are rendered easy to clean. All bathroom and food preparation area finishes must be constructed of materials which are non-absorbent to moisture, easy to clean and do not provide harbourage to dirt, grease, and vermin and must form a watertight joint with each other, the floor and the ceiling.
 - c. Install smoke alarms throughout the premises and ensure that are maintained in an operational state at all times.
 - d. Repair or replace kitchen countertops and ensure they are maintained in a safe and operating condition.
 - e. Secure the electrical wire and ensure all electrical components are maintained in a good and safe working condition. Install all missing electrical outlet covers and ensure they are maintained in a good and safe working condition.
 - f. Remove and secure the plumbing line leading from kitchen sink to the bathroom and washing sink. Properly refinish areas that were removed or damaged while installing these plumbing lines. Receive approval from local municipality.
 - g. Contact the services of a professional remediation company that specialized in waste and/or hazardous materials remediation to assess and remove waste, clutter and debris from all areas of the premises and thoroughly clean all surfaces inside the dwelling.
 - h. Secure the access hole of both septic tanks with an appropriate cover.
 - i. Remove or replace all building materials that have been damaged or show evidence of deterioration.
 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 St. Albert, Alberta, June 30, 2022

Confirmation of a verbal order issued to Roger Morin on June 28, 2022 via phone.

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 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>