

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

To: **Jean Elie-Casseus**
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
12918 125 Street NW

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 was no electrical power in the building.
- b. There was no water utility in the building.
- c. The main floor bathroom toilet was plugged, and there was a large amount of human waste in the bowl.
- d. There was a sewage back up in the basement, and liquid was noted on the flooring throughout the basement.
- e. There were numerous broken windows throughout the premises.
- f. There were numerous missing insect window screens throughout the premises
- g. The handrail was missing along the stairs leading to the main floor.
- h. The handrail was missing along the stairs leading to the basement.
- i. There was no smoke alarm in the main floor hallway outside the bedrooms.
- j. There was no smoke alarm in the basement hallway outside the bedrooms.
- k. There was evidence of sleeping in the garage including bedding and personal items.

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. Items [e, f] are in contravention of section III(2)(b) which states: (i) All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof. (ii) In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer. (iii) During the portion of the year when there is a need for protection against flies and other

- flying insects, every window or other device intended for ventilation shall be supplied with effective screens.
- b. Items (g, h) are in contravention of section III(3)(c)(i) of the 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.
 - c. Items [c, d] are in contravention of section IV(6) of the Minimum Housing and Health Standards which states: Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. (a) 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, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition. (b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
 - d. Items [a, b] are in contravention of section IV(8)(d) of the Minimum Housing and Health Standards which states: Every owner must ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant.
 - e. Items [l, j] are in contravention of section IV(12) 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.
 - f. Item [k] is in contravention of section 5(2) of the 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.

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 September 9, 2021.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Restore the electrical power and water utilities at the property. Ensure that there is a continuous supply of electricity, water, and heat.
 - b. Retain a qualified plumbing professional to inspect the plumbing and sanitary system, and make any necessary repairs so that the plumbing and sanitary system are in good repair, including: unplug the main floor bathroom toilet; address the cause of the sewage back up in the basement. **Provide documentation to this office.**
 - c. Clean and sanitize the flooring and other areas affected by the sewage back up on the basement. An information document can be found there:
<https://albertahealthservices.ca/Advisories/ne-pha-cleaning-house.pdf>.

- d. Repair or replace any windows that are in disrepair. Ensure that all windows are: maintained in good repair, free of cracks and weatherproof; are double glazed or are provided with a storm sash; and are capable of being secured.
 - e. Ensure that all openable windows are supplied with insect screens.
 - f. Ensure that the housing premises meets the Minimum Housing and Health Standards prior to being used as a rental accommodation.
 - g. Install a handrail along the interior stairs leading to the main floor, that is in good repair and meets the requirements set out by the current Alberta Building Code.
 - h. Install a handrail along the interior stairs leading to the main floor, that is in good repair and meets the requirements set out by the current Alberta Building Code.
 - i. Install smoke alarms in the hallway outside the main floor bedrooms, and in the hallway outside the basement bedrooms. Smoke alarms must be operational at all times.
 - j. Ensure that the garage is not being used as a sleeping/living area as it does not meet the Minimum Housing and Health Standards.
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 Edmonton, Alberta, September 9, 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.

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>

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