

## **ORDER OF AN EXECUTIVE OFFICER UNFIT FOR HUMAN HABITATION**

**To:** Klaus Beckmann  
Alexandra Unruh  
Edmonton, Alberta

**RE:** Plan RN22B, Block 48, Lot 11  
Municipally known as 12608 – 107 Avenue NW, Edmonton, Alberta

**WHEREAS** I, an **Executive Officer** of **Alberta Health Services**, have inspected the above 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 the prevention or suppression of disease, namely:

- a. Smoke detectors were either not operational or missing throughout the premises.
- b. Multiple cracks throughout the exterior and interior foundation walls were noted. There was also evidence of water infiltration in the basement.
- c. There was no supply of electrical power, water or gas throughout the premises.
- d. Multiple exterior and interior doors were in disrepair.
- e. Multiple windows throughout the premises were broken, single paned, and their frames were in a high state of deterioration.
- f. Insect screens were missing throughout the premises.
- g. The floor covering in the basement was buckling.
- h. Walls and ceilings within the premises were deteriorated, cracked, they had holes, and the paint was peeling off.
- i. Paint was peeling off on the exterior walls.
- j. Exposed electrical conductors, light fixtures in disrepair, and missing outlet/switch covers were noted throughout the premises.
- k. All exterior staircases were leaning, rotting and in a deteriorating state.
- l. There were no handrails for the exterior and interior staircases.

- m. All washroom, bathing, and kitchen facilities were extremely filthy. Excessive insanitary conditions were also noted within the premises including an abundance of soiled clothing, dirty food utensils, rotted foods in the fridge/freezer, dirty plastic containers and excessive clutter in the basement. The conditions were conducive to the attraction and harborage of vermin, increased potential for a fire hazard and physical hazard, and obstruction of emergency egress.
- n. Hand sinks in the second floor and the basement washrooms were in disrepair.

**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. Violation [a.] is a contravention on section 12 of the Minimum Housing and Health Standards which states that 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.
- b. Violation [b.] is in contravention of section 3(1) of the Housing Regulation which states that an owner shall ensure that (a) the housing premises are (i) structurally sound, (ii) in a safe condition, (iii) in good repair and, (iv) maintained in a waterproof, windproof and weatherproof condition.
- c. Violation [c.] is in contravention of section 8(d) of the Minimum Housing and Health Standards which states every owner of a housing premises shall 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.
- d. Violations [d., e., and f.] are in contravention of section 2(b)(i) of the Minimum Housing and Health Standards which states that all windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- e. Violation [f.] is in contravention of section 2(b)(iii) of the Minimum Housing and Health Standards which states during the portion of the year where 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.
- f. Violations [g., h., and i.] are in contravention of section 1(c) of the Minimum Housing and Health Standards which states building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced and of section 5(a) of the Minimum Housing and Health Standards which states that 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.

- g. Violation [j.] is in contravention of section 11 of the Minimum Housing and Health Standards which states that: Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
- h. Violations [k., and l.] are in contravention of section 3(c) of the Minimum Housing and Health Standards which states that: "Inside of 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."
- i. Violations [m., and n] are in contravention of Part 1, section 2(1) of the Nuisance and General Sanitation Regulation which states that no person shall create, commit or maintain a nuisance, and 2(2)(a) which states that without limiting the generality of subsection (1), a person who creates, commits or maintains (a) any premises in a condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained 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 owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Ensure all smoke detectors are installed and are in good working order.
  - b. Ensure the foundation is in good repair and weatherproof. These repairs must be carried out by qualified individuals under the direction of a Professional Engineer. You must request a structural certification report and provide copies to Alberta Health Services and to a Safety Codes Officer.
  - c. Ensure an adequate supply of electricity, water, and gas.
  - d. Ensure that all exterior and interior doors are maintained in good repair and free of cracks. Ensure that exterior doors are weatherproof.
  - e. Ensure that all windows are maintained in good repair, free of cracks, double paned, and their frames are also in good repair.
  - f. Ensure insect screens are installed on all openable windows and are effective and maintained in good repair.
  - g. Ensure all walls, ceilings, and floor coverings are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
  - h. Ensure that all outlet/switch covers, and light fixtures are properly installed and maintained in a good and safe working condition. Ensure that all exposed conductors are properly capped.

- i. Ensure that all exterior staircases are maintained in good repair maintained in good repair and comply with the requirements of the Alberta Building Code or a Professional Engineer design.
  - j. Ensure that hand rails are installed on all staircases within the premises and they comply with the requirements of the Alberta Building Code or a Professional Engineer design.
  - k. Ensure that the premises is decluttered and maintained in a sanitary condition.
  - l. Ensure that the hand sinks in the second floor and the basement washrooms are in good repair.
  - m. Take any further steps in the interests of preserving and maintaining the health of any person who may, in the future, occupy the above noted premises as may be required by the Executive Officer.
2. 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, February 23, 2017

\_\_\_\_\_(Original Signed)\_\_\_\_\_  
Elio Moreno, MPH, BSc, CPHI(C)  
Executive Officer  
Environmental Health Officer

**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 within ten (10) days after receiving the order to the Public Health Appeal Board located at Reception, Main Floor. Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta, T5J 1S6, Telephone 780-427-2813 Fax 780-422-0914.**

**The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.**

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or the Public Health Appeal Board 780-427-2813.

You are advised that all orders remain in effect pending such an appeal

### 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](http://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: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)*