

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

To: Bill Van Rootselaar

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

RE: Those housing premises located in Coalhurst, Alberta and municipally described as:
4, 327 – 55 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. The foundation of the house is in disrepair and has large gaping cracks that run both horizontally and vertically along the length of the house in the basement.
- b. The house slants downwards to the east (the side with the cracked foundation).
- c. The living room floor is spongy and does not feel stable.
- d. The roof of the house is in disrepair. The shingles are starting to lift and curl. The area of roof over top of the main door and carport is tar and gravel. This part of the roof is so damaged that the tar and gravel is coming through into the carport.
- e. The stucco on the outside of the home is cracked and falling off the house to reveal the wire and wood underneath.
- f. Parts of the foundation on the outside of the home are cracked and open right into the basement.
- g. A portion of the west side of the house is missing siding and has insulation open to the elements.
- h. The light fixture just outside the side entrance to the house was not properly attached to the house.
- i. There is severe water damage to the ceiling by the main door to the home. There is also water damage to the ceiling in the laundry room and storage room. The storage room ceiling is sagging and large portions have already fallen down.
- j. The walls in the storage room and laundry room are bowing outwards.
- k. The baseboards, finishings and drywall are in disrepair throughout the house.
- l. The flooring in the entryway is in disrepair, missing transition strips and starting to lift.
- m. The flooring in the bathroom is not attached to the floor.
- n. The counter in the kitchen is in disrepair.
- o. Drawers in the kitchen are in disrepair.
- p. There is no water pressure for the kitchen sink. A small stream of water comes out when the taps are in the full open position.

- q. The front bedroom window opens into the covered deck. This does not meet emergency egress requirements.
- r. There is no working smoke alarm in the home.
- s. The only water source for the house (the cistern) cannot be confirmed as potable.
- t. The bathroom window is cracked and broken.
- u. The front living room window is a single pane and there is a crack in the top right corner.
- v. The main door for the home requires weatherstripping.

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 house is in disrepair and has large gaping cracks that run both horizontally and vertically along the length of the house in the basement which is in contravention of section III(1)(a,b) of the Minimum Housing and Health Standards which states that: the housing premises shall be structurally sound, and; basements, cellars or crawl spaces shall be structurally sound, and maintained in good repair. Also, section III(1)(d) of the Minimum Housing and Health Standards states that: Repairs or modifications required by the Executive Officer of any structural element of the housing premises may require the design and/or supervision of a professional structural engineer or a Safety Codes Officer (Building Discipline).
- b. The house slants downwards to the east (the side with the cracked foundation) which is in contravention of section 3(1)(a)(i) of the Housing Regulation which states that: an owner shall ensure that the housing premises are structurally sound.
- c. The living room floor is spongy and does not feel stable which is in contravention of section 3(1)(a)(ii) of the Housing Regulation which states that: an owner shall ensure that the housing premises are in a safe condition.
- d. The roof of the house is in disrepair. The shingles are starting to lift and curl. The area of roof over top of the main door and carport is tar and gravel. This part of the roof is so damaged that the tar and gravel is coming through into the carport which is in contravention of section III(1)(c) of the Minimum Housing and Health Standards which states that: Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- e. The stucco on the outside of the home is cracked and falling off the house to reveal the wire and wood underneath which is in contravention of section 3(1)(a)(iii) of the Housing Regulation which states that: an owner shall ensure that the housing premises are in good repair.
- f. Parts of the foundation on the outside of the home are cracked and open right into the basement which is in contravention of section 3(1)(a)(iv) of the Housing Regulation which states that: an owner shall ensure that the housing premises are maintained in a waterproof, windproof, and weatherproof condition.
- g. A portion of the west side of the house is missing siding and has insulation open to the elements which is in contravention of section III(2)(a) of the Minimum Housing and Health

Standards which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.

- h. The light fixture just outside the side entrance to the house was not properly attached to the house which is in contravention of section IV(11) of the Minimum Housing and Health Standards which states that: 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.
- i. There is severe water damage to the ceiling by the main door to the home. There is also water damage to the ceiling in the laundry room and storage room. The storage room ceiling is sagging and large portions have already fallen down which is in contravention of section III(5) 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.
- j. The walls in the storage room and laundry room are bowing outwards which is in contravention of section III(5) 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.
- k. The baseboards, finishings and drywall are in disrepair throughout the house which is in contravention of section III(5) 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.
- l. The flooring in the entryway is in disrepair, missing transition strips and starting to lift which is in contravention of section III(5) 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.
- m. The flooring in the bathroom is not attached to the floor which is in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: 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.
- n. The counter in the kitchen is in disrepair which is in contravention of section IV(14)(a)(iii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.
- o. Drawers in the kitchen are in disrepair which is in contravention of section IV(14)(a)(iii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a counter or table used for

food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.

- p. There is no water pressure for the kitchen sink. A small stream of water comes out when the taps are in the full open position which is in contravention of section IV(9) of the Minimum Housing and Health Standards which states that: Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.
- q. The front bedroom window opens into the covered deck, which does not meet emergency egress requirements. This is in contravention of section III(3)(b) of the Minimum Housing and Health Standards which states that: For buildings of 3 stories 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.
- r. There is no working smoke alarm in the home which is in contravention of section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.
- s. The only water source for the house (the cistern) cannot be confirmed as potable which is in contravention of section 3(1)(b)(iii) of the Housing Regulation which states that: an owner shall ensure that the occupants of the housing premises are supplied with adequate running hot and cold water that is safe for human consumption.
- t. The bathroom window is cracked and broken which is in contravention of section III(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.
- u. The front living room window is a single pane and there is a crack in the top right corner which is in contravention of section III(2)(b)(ii) of the Minimum Housing and Health Standards which states that: 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.
- v. The main door for the home requires weatherstripping which is in contravention of section III(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.

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 January 31, 2017.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

- a. Have a structural engineer in to assess the foundation, the slanting of the house and the spongy floor. A copy of the report from the engineer with the recommendations for repair shall be provided to this office.
 - b. Ensure the house is structurally sound.
 - c. Repair the roof.
 - d. Repair the exterior of the house. Ensure it is in a windproof, waterproof and weatherproof condition.
 - e. Properly install the exterior light. Ensure it is in safe working condition.
 - f. Repair the ceiling and walls in the home. Ensure any mouldy or water damaged building materials are removed and repaired.
 - g. Repair the flooring in the front entryway and bathroom. Ensure it is in good repair with no loose or lifting coverings and is easily cleanable.
 - h. Repair the kitchen counter. Ensure it is in good condition and easily cleanable.
 - i. Repair the drawers in the kitchen.
 - j. Ensure there is adequate water pressure and volume for the kitchen sink.
 - k. Ensure the bedroom windows meet emergency egress requirements of at least 3.8 square feet of openable, unobstructed space leading directly to the outside and no dimensions of less than 15 inches.
 - l. Ensure there is a smoke alarm installed and operational at all times.
 - m. Submit a bacteriological water sample from the cistern and ensure that there is a source of potable water for the house.
 - n. Repair the bathroom window.
 - o. Repair the front living room window. Ensure it is double glazed.
 - p. Install weatherstripping on the main door to the home.
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 Lethbridge, Alberta, February 1, 2017

Confirmation of a verbal order issued to Bill Van Rootselaar on January 27, 2017.

Jenny Andrews, BSc., BEH(AD), CPHI(C)
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, Telus Plaza North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <http://www.health.alberta.ca/about/PHAB.html>

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: www.health.alberta.ca/about/health-legislation.html

Environmental Public Health

801 – 1 Avenue South Lethbridge, AB T1J 4L5 Phone: 403-388-6689 Fax: 403-328-5934

www.albertahealthservices.ca/eph.asp