

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

To: Garth Schell
"the Owner"

And To: All Occupant(s) of the following Housing premises: 1622 Ross Street, Unit 1

RE: The housing premises located in Crossfield, Alberta and municipally described as: 1622 Ross Street, Unit 1

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 power supply to the dwelling. Power had been ordered shut-off by the Airdrie fire department due to water infiltration from the roof creating concerns regarding the safety of the electrical system.
- b. The structural stability of the roof and ceiling was a concern. The roof was notably soft in at least two areas where water damage was evident.
- c. Mould growth and conditions that support mould growth are evident within the premises. Mould growth was observed within the wall cavity of the spare bedroom in the dwelling.
- d. Evidence of water leakage and significant water damage to some of the building materials in all of the rooms of the dwelling.
- e. There were holes in the walls above the couch in the living room and in the bedroom closest to the living room area.
- f. The exterior window along south side of the dwelling was cracked.

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. There was no power supply to the dwelling. Power had been ordered shut-off by the Airdrie fire department due to water infiltration from the roof creating concerns regarding the safety of the electrical system. This 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."
- b. The structural stability of the roof and ceiling was a concern. The roof was notably soft in at least two areas where water damage was evident. This 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.”

- c. Mould growth and conditions that support mould growth are evident within the premises. Mould growth was observed within the wall cavity of the spare bedroom in the dwelling. This is in contravention of section 5(2) of the Housing Regulation of Alberta 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.”
- d. Evidence of water leakage and significant water damage to some of the building materials in all of the rooms of the dwelling. This 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.”
- e. There were holes in the walls above the couch in the living room and in the bedroom closest to the living room area. This 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.”
- f. Exterior window along south side of the dwelling was cracked. This 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 July 18, 2016.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Hire a journeyman electrician to assess the electrical system and ensure it is safe before power is restored to the dwelling. Provide a copy of the electrician’s report to this office.
 - b. Hire a structural engineer to assess structural soundness of the roof and ceilings of the dwelling. Provide a copy of the engineer’s report to this office.
 - c. Make all repairs necessary to ensure the structural soundness of the dwelling based on the findings of the engineering report.
 - d. Hire a qualified remediation expert to remove the mould from the dwelling. Provide a copy of the remediation report to this office.
 - e. Repair the roof to prevent water infiltration into the dwelling.
 - f. Repair the holes in the walls of both the living room and bedroom.
 - g. Remove and replace any of the building materials that are water damaged.
 - h. Repair the cracked window along the south side of the dwelling.

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 Calgary, Alberta, July 22, 2016

Confirmation of a verbal order issued to Garth Schell (owner) on July 18, 2016.

Curtis Mostowich, 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 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: 780-427-2813
Fax: 780-422-0914
Email: health.appealboard@gov.ab.ca

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

Order of an Executive Officer – Unfit for Human Habitation- Order to Vacate

RE: The premises located in Crossfield, Alberta and municipally described as: 1622 Ross Street, Unit 1

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www.albertahealthservices.ca/eph.asp