

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

To: John Bruce Inglis
"the Owner"

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

RE: Those housing premises located in Alix, Alberta and municipally described as:
5204 50 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. There is mould growth on the northwest bedroom ceiling.
- b. There is mould growth on the west and south walls of the northwest bedroom.
- c. There is mould growth on the ceiling and west wall of the closet in the northwest bedroom.
- d. There is mould growth on the ceiling in the rear entrance area.
- e. Mouse droppings were observed in the kitchen cupboards.

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. A portion of the ceiling tiles in the northwest bedroom have fallen down and mould growth is present on the insulation and vapour barrier. Section 5 of the Minimum Housing and Health Standards 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." Section 1(c) of the Minimum Housing and Health Standards states: "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- b. There are high moisture meter readings and mould growth on the west and south walls of the northwest bedroom. Section 5 of the Minimum Housing and Health Standards 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." Section 1(c) of the Minimum Housing and Health Standards states: "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- c. There is mould growth on the ceiling and west wall of the closet in the northwest bedroom and the ceiling tiles are caving in. Section 5 of the Minimum Housing and Health

Standards 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.” Section 1(c) of the Minimum Housing and Health Standards states: “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”

- d. A portion of the ceiling in the rear entrance area has caved in and mould growth is present. Section 5 of the Minimum Housing and Health Standards 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.” Section 1(c) of the Minimum Housing and Health Standards states: “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
- e. The roof leaks. Section 2(a) of the Minimum Housing and Health Standards states: “The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”
- f. The two smoke alarms in the premise do not work. Section 12(a) of the Minimum Housing and Health Standards states: “Smoke alarms shall be operational and in good repair at all times.”
- g. Mouse droppings were observed in the kitchen cupboards indicating the presence of a mouse infestation. Section 16 of the Minimum Housing and Health Standards states: “The owner shall ensure that the housing premises are free of insect and rodent infestations.”
- h. A portion of the basement foundation on the north side is collapsing. Section 1(b) of the Minimum Housing and Health Standards states: “Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.”
- i. There is a tree branch being used in the basement to support a floor joist. Section 1(a) of the Minimum Housing and Health Standards states: “The housing premise shall be structurally sound.”

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 August 2, 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. Remediate all mould growth.
 - b. Remove and replace all water damaged materials.
 - c. Ensure that the premise is free of rodents.
 - d. Ensure that the roof is waterproof, windproof and weatherproof.
 - e. Ensure that the smoke alarms in the premise are operational and in good condition.
 - f. Ensure that the foundation is structurally sound. Repairs or modifications must be approved by a structural engineer or safety Codes Officer.
 - g. Ensure that the housing premise is structurally sound. Repairs or modifications must be approved by a Structural Engineer or Safety Codes Officer.

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 Red Deer, Alberta, August 2, 2016

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: 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

Template revised January 22, 2016