

ORDER OF AN EXECUTIVE OFFICER UNFIT FOR HUMAN HABITATION

To: **Celaine Campbell**
"the Owner"

And To: **Jong-Keyong Jung; Heung-Sik Jong**
"the Owner"

RE: The housing premises located in Foothills County, Alberta municipally described as:
306070 17 Street E - Cabin
Foothills AB
T1S 1A2

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 home was not equipped with a functional furnace, the portable propane space heater was the primary source for heating.
- b. The window in the south facing wall of the sleeping area is missing, replaced with plywood. The north facing window, the kitchen window and the west facing window in the sleeping areas are single pane, not weatherproof.
- c. There was a leak from a fixture in the bathroom area. A bucket had been placed underneath to catch the water.
- d. There was no hot water supply to the home. Water measured at 9 C.
- e. The water supply for this home is not suitable for year round use. Cistern located outside and uninsulated from winter conditions.
- f. The wood flooring, the walls, the ceilings in the home have cracks, holes and gaps and are unfinished and not in good repair. Surfaces are absorbent, not easily cleanable.
- g. The main entry door was not weatherproof. Daylight was visible through gaps at the top of the main entry door.
- h. There is no working stove, refrigerator and the kitchen cupboards were not installed, leaving open holes in the walls. Not suitable for food storage.
- i. No kitchen sink installed or faucets.

- j. The shower does not have any faucets installed. No water supply.
- k. Washroom toilet has no plumbing and does not flush. Wood box with a toilet set on it. There is no plumbing.
- l. Ceiling light fixtures have exposed wiring and are not properly installed. Wall electrical outlets are broken or having missing covers.
- m. There are no smoke alarms in the cabin.
- n. The roof exterior is tar paper. The exterior cladding has cracks and gaps. There are no eaves troughs installed, exterior not waterproof.
- o. Sample from the water supply completed December 1, 2021 showed the presence of total coliforms.

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 as well as the Nuisance and General Sanitation Regulation 243/2003 exist in and about the above noted premises, namely:

- a. The cabin was not equipped with a functional furnace, the portable propane space heater was the primary source for heating. This is in contravention of the Minimum Housing and Health Standards section 8(a,b) which states that all heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of; (i) at least 22°C (71°F), or (i) maintained at a temperature of at least 22°C (71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant. (b) When the outside temperature is colder than the winter design temperature as referenced in the Alberta Building Code(97) Section 2.2.1.1 and Appendix C, then the Executive Officer may permit an indoor temperature of less than 22°C (71°F) but greater than 16°C (60°F).
- b. The window in the south facing wall of the sleeping area is missing, replaced with plywood. The north facing window, the kitchen window and the west facing window in the sleeping areas are single pane, not weatherproof. This is in contravention of the Minimum Housing and Health Standards section 2(b)(ii) 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.
- c. There was a leak from the sink in the bathroom. A bucket had been placed underneath to catch the water. This is in contravention of the Minimum Housing and Health Standards section 6(a,c) which states that 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, pump out

sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.

- d. There was no hot water supply to the cabin. Cold water only measured at 9 C. This is in contravention of the Minimum Housing and Health Standards section 9 (a) which states every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants. (a) All hot running water shall be maintained at a temperature of not less than 46 degrees C (114F), and not more than 60 degrees C (140F) measured at the plumbing fixture.
- e. The water supply for this home is not suitable for year round use. Cistern located outside and uninsulated from winter conditions. This is in contravention of the Minimum Housing and Health Standards section 9 (a) which states every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants. (a) All hot running water shall be maintained at a temperature of not less than 46 degrees C (114F), and not more than 60 degrees C (140F) measured at the plumbing fixture.
- f. The wood flooring, the walls, the ceilings in the home have cracks, holes and gaps and are unfinished and not in good repair. Surfaces are absorbent, not easily cleanable. This is in contravention of the Minimum Housing and Health Standards section 5(a,b) which 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. (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. The main entry door was not weatherproof. Daylight was visible through gaps at the top of the main entry door. This is in contravention of the Minimum Housing and Health Standards section 2(b)(i) which states all windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- h. There is no working stove, refrigerator and the kitchen cupboards were not installed, leaving open holes in the walls. Not suitable for food storage. The kitchen cupboards were not installed, leaving open holes in the walls. Not suitable for food storage. This is in contravention of the Minimum Housing and Health Standards section 14(a)(i)(ii)(iii)(iv) which states every housing premises shall be provided with a food preparation area, which includes: a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation; and cupboards or other facilities suitable for the storage of food; and a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; and a stove and a refrigerator that are maintained

- i. No kitchen sink installed or faucets. This is in contravention of the Minimum Housing and Health Standards section 14(a)(i)(ii)(iii)(iv) which states every housing premises shall be provided with a food preparation area, which includes: a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation; and cupboards or other facilities suitable for the storage of food; and a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; and a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. (40F).
- j. The shower does not have any faucets installed. No water supply. This is in contravention of the Minimum Housing and Health Standards section 7(a) which states every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower. The washbasins and bathtub or shower shall be supplied with potable hot and cold running water.
- k. Washroom toilet has no plumbing and does not flush. Wood box with a toilet set on it. There is no plumbing. This is in contravention of the Minimum Housing and Health Standards section 7(a) which states every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower. The washbasins and bathtub or shower shall be supplied with potable hot and cold running water.
- l. Ceiling light fixtures have exposed wiring and are not properly installed. Wall electrical outlets are broken or having missing covers. This is in contravention of the Minimum Housing and Health Standards section 11 which states 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.
- m. There are no smoke alarms in the cabin. This is in contravention of the Minimum Housing and Health Standards section 12 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.
- n. The roof exterior is tar paper. The exterior cladding has cracks and gaps. There are no eaves troughs installed, exterior not waterproof. This is in contravention of the Minimum Housing and Health Standards section 2(a) which states the roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- o. Sample from the washroom sink completed December 1, 2021 showed the presence of total coliforms. This is in contravention of the Minimum Housing and Health Standards section 9 which states every building used in whole or in part, as

housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.

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. This cabin is not suitable for accommodation/sleeping purposes and must remain unoccupied while the Order remains in effect.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install a heating facility that is properly installed and maintained in good working condition and capable of maintaining all habitable rooms at 22C.
 - b. 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.
 - c. Repair the leaking sink.
 - d. Repair the hot water heater so there is a supply of hot water available between the temperatures of 46 C and 60 C.
 - e. Water supply storage to be winterized to be able to function in freezing temperatures.
 - f. All floors, walls, ceilings and counters to be in good repair, waterproof, smooth and easily cleanable.
 - g. Eliminate all visible gaps between the entrance door and frame, to be weatherproof.
 - h. A working stove, a working refrigerator and installed cupboards are required.
 - i. Install a properly plumbed kitchen sink and faucets.
 - j. Repair the shower so there are plumbed fixtures and a hot and cold water supply.
 - k. Install a flush toilet connected to the sanitary sewer or holding tank on site that can be used year round.
 - l. Repair or replace the broken light fixtures, broken electrical covers and broken switches.
 - m. Install a smoke alarm in the sleeping area.
 - n. Repair the roof, exterior cladding and eave troughs so they are weatherproof and in good repair.
 - o. Water supply is to be potable.

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 for accommodation or sleeping purposes.

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 Okotoks, Alberta, December 10, 2021, confirming a verbal order issued to Celaine Campbell on December 2, 2021.

Andrew O’Laney, 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, 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.

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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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www.albertahealthservices.ca/eph.asp