

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

To: Ronald Stapleton
"the Owner"

And To: All Occupant(s) of the following Housing premises: 5720 18 Avenue NE – Garage

RE: Those housing premises located in Calgary, Alberta and municipally described as:
5720 18 Avenue NE – Garage

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 detached garage was being used for sleeping and living purposes. There were two bedrooms in the garage containing personal belongings such as clothing, bedding, furniture, and food in the rooms. There was no smoke alarm installed and no windows in the bedrooms. Space heaters were being used and the ambient temperature of the suite measured up to 12 degrees Celsius. The floors of the garage were unfinished. There were hanging extension cords, exposed electrical wires, and missing outlet covers observed throughout. The garage had no plumbing, no kitchen, and no washroom facilities.

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 detached garage was being used for sleeping and living purposes. There were two bedrooms in the garage containing personal belongings such as clothing, bedding, furniture, and food in the rooms. There was no smoke alarm installed and no windows in the bedrooms. Space heaters were being used and the ambient temperature of the suite measured up to 12 degrees Celsius. The floors of the garage were unfinished. There were hanging extension cords, exposed electrical wires, and missing outlet covers observed throughout. The garage had no plumbing, no kitchen, and no washroom facilities. This contravenes section 5(2) of the Housing Regulation, 2001 which states that: 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.

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 immediately.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Immediately cease allowing the use of the garage for sleeping and / or living purposes until such time as the garage is brought into full compliance with the Minimum Housing and Health Standards.
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, February 16, 2023.

Confirmation of a verbal order issued to Ronald Stapleton on February 16, 2023

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 the Public Health Appeal Board or visiting their website.

Electronic versions of the Public Health Act and Regulations are available at the Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Health Legislation and regulations are available for purchase. Please contact Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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<https://www.ahs.ca/eph>