

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

**To:** Russell Federation  
"the Owner"

Charles Ryan (Property Manager)  
"The Owner"

**And To:** All Occupant(s) of the following Housing premises: 578082 184 Street East – Mobile Home

**RE:** Those housing premises located in Foothills County, Alberta and municipally described as: 578082 184 Street East, NW 13-18-28-W4M – Mobile Home.

**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 were no utilities being supplied to the property, including electricity, gas, and potable water.
- b. The measured temperature inside the dwelling was 13C.
- c. The cistern supplying water to the dwelling was rusted and was not maintained in good repair.

**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 were no utilities being supplied to the property, including electricity, heat, and potable water. This is in contravention of section 8(d) of the Minimum Housing and Health Standards which states that "every owner must ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant."
- b. The measured temperature inside the dwelling was 13C. This is in contravention of section 8(a)(b) of the Minimum Housing and Health Standards 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 at least 22C(71F)

- c. The cistern supplying water to the dwelling was rusted and was not maintained in good repair. This is in contravention of sections 11 and 14 of the Nuisance and General Sanitation Regulation which state that “where a person provides a source of water that the person intends to be used or realizes or ought to realize will be used by the public for human consumption, the person shall ensure that the water is potable” and “the owner of a cistern that is used to hold a potable water supply intended for consumption by the public shall ensure that the cistern (a) is maintained in a clean and sanitary condition and (b) is not used for any other purpose.”

**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 November 20, 2023.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Ensure there is a continuous supply of utilities, including electricity, heat, and potable water to the dwelling.
  - b. Ensure the heating facilities are able to maintain a temperature of at least 22C in the dwelling.
  - c. Replace the cistern and ensure that the cistern is maintained in a clean and sanitary condition.
  - d. Supply the water cistern with potable water. A water sample must verify potability of the water prior to use of water from the cistern by tenants.
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, November 6, 2023.

Confirmation of a verbal order issued to Russell Fedoration and Charles Ryan on November 3, 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](mailto: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.

Health Legislation, Regulations and Standards

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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Calgary • Southport Atrium • Environmental Public Health

10101 Southport Road and Calgary, Alberta, Canada T2E 3N2

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