

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

To: Raleigh Myggland
The Estate of Georgina Myggland
"the Owners"

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

RE: Those housing premises located in Wainwright, Alberta and municipally described as:
1118 6 Avenue

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. Gross accumulation of human feces and diapers throughout the housing premises.
- b. Non-functional toilet facilities.
- c. Lack of adequate heat to the premises.
- d. Gross accumulation of refuse and garbage throughout the housing premises.

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

- a. Gross accumulation of human feces and diapers throughout the housing premises. This condition is contrary to Section 2 of the Nuisance and General Sanitation Regulation (AR 243/2003) which states: "No person shall create, commit or maintain a nuisance. (2) Without limiting the generality of subsection (1), a person who creates, commits or maintains (h) any building that, due to (i) its not being in a clean state, (ii) the presence in it of noxious vapours or odours arising from any drain, water closet or urinal, or (iii) lack of ventilation in it sufficient to render harmless any gases, vapours, dust or other impurities generated in it, is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance."
- b. Toilet facilities in the house are non-functional. This condition is contrary to Section 7 of the Minimum Housing and Health Standards M.O. 57/2012, which states that: "Except where exempt by regulation, 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. (a) The washbasins and bathtub or shower shall be supplied with potable hot

and cold running water. (b) The wash basin should be in the same room as the flush toilet or in close proximity to the door leading directly into the room containing the flush toilet. (c) All rooms containing a flush toilet and/or bathtub, or shower shall be provided with natural or mechanical ventilation.”

- c. Lack of adequate heat to the premises. This condition is contrary to Section 8 of the Minimum Housing and Health Standards M.O. 57/2012, which states that: “(a) 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. (c) Cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room.”
- d. Gross accumulation of garbage and refuse in the housing premises. This condition is contrary to Section 2 of the Nuisance and General Sanitation Regulation (AR 243/2003) which states: “No person shall create, commit or maintain a nuisance. (2) Without limiting the generality of subsection (1), a person who creates, commits or maintains (h) any building that, due to (i) its not being in a clean state, is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.”

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 18, 2024.
- 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 professional to clean and remediate the housing premises.
 - b. Ensure that all toilet facilities are functional.
 - c. Ensure heating facilities are working properly and able to maintain an appropriate temperature.
- 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 Wainwright, Alberta, November 19, 2024

Confirmation of a verbal order issued to Raleigh Myggland on November 18, 2024.

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.

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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Copy: Town of Wainwright