

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

To: Stanley George Rath
Marlene Rath
“the Owner”

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

RE: Those housing premises referred to as the east shop located in Special Area 2, Alberta and municipally described as: 33468 Highway 36.

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 shop is not equipped with a smoke alarm.
- b. The floors within the shop are unfinished.
- c. Lack of washroom facilities.
- d. Lack of food appliances and food preparation space.
- e. The facility is not connected to potable water supply

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 premises are not equipped with functional smoke alarms. This condition is contrary to section 12 of the Minimum Housing and Health Standards, which states that: “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.”
- b. The floors within the shop are unfinished This is in contravention of section 5 of the Minimum Housing and Health Standards, 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.”
- c. The shop lacks any washroom facilities. This is in contravention of section 7 of the Minimum Housing and Health Standards, which states: “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.”

- d. The facility lacks a stove, refrigerator, sink, or countertop space for food preparation. This is in contravention of section 14(a) of the Minimum Housing and Health Standards, which states: “Every housing premises shall be provided with a food preparation area, which includes:
- i) 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.
 - ii) cupboards or other facilities suitable for the storage of food; and
 - iii) a counter or a table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.
 - iv) 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. (40°F).”
- e. The facility is not connected to potable water supply. This condition is in contravention of section 9(a) of the Minimum Housing and Health Standards, 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 (114°F), and not more than 60 degrees C (140°F) measured at the plumbing fixture.”

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 5, 2022.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. The exterior doors, windows and other access points of the building must be secured to prevent unauthorized access. Complete this work by August 6, 2022.
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 Drumheller, Alberta, August 5, 2022

Confirmation of a verbal order issued to Stanley George Rath on August 4, 2022.

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 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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