

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

**To:** Michael Schulz  
"the Owner"

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

**RE:** Those housing premises located in Red Deer, Alberta and municipally described as:  
3803 46 Street

**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, in contravention of the Public Health Act and the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 namely:

- a. The premises was packed with extreme amounts of clutter limiting mobility and access throughout the property. Bedrooms were not able to be used for sleeping purposes and occupants were sleeping in the living room.
- b. There was no power supplied to the home. The power meter at the back of the home appeared to be missing and the power service main line to the home appeared to be severed.
- c. The refrigerator was not in proper operating condition and spoiled food was observed inside. The measured temperature using an infrared thermometer was approximately 25.2°C.
- d. The installed smoke alarm in the hallway outside the bedrooms was non-operational when tested.
- e. The two north facing living room windows were broken with the larger window being sealed with tape. The southwest corner bedroom window was broken.

**AND WHEREAS** such inspection disclosed that the following breaches of the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, 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 was packed with extreme amounts of clutter limiting mobility and access throughout the property. Bedrooms were not able to be used for sleeping purposes and occupants were sleeping in the living room. This condition is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states that: "No person shall create, commit or maintain a nuisance."
- b. There was no power supplied to the home. The power meter at the back of the home appeared to be missing and the power service main line to the home appeared to be

severed. This condition 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."

- c. The refrigerator was not in proper operating condition and spoiled food was observed inside. This condition is in contravention of Section 14(a)(iv) of the Minimum Housing and Health Standards which states that: "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)."
- d. The installed smoke alarm in the hallway outside the bedrooms was non-operational when tested. This condition is in contravention of Section 12(a) of the Minimum Housing and Health Standards which states: "Smoke alarms shall be operational and in good repair at all times."
- e. The two north facing living room windows were broken with the larger window being sealed with tape. The southwest corner bedroom window was broken. This condition is in contravention of Section 2(b)(i) of the Minimum Housing and Health Standards which states: "All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof."

**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 Owner(s) takes all steps necessary to ensure all Occupants vacate the above noted premises on or before June 1<sup>st</sup>, 2025.
2. That the Owner(s) immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Remove all excessive clutter from the home.
  - b. Ensure the premises has a continuous supply of electricity. All repairs need to be in compliance with all applicable legislation, standards and codes. Written completion and compliance records for repairs must be provided to the Executive Officer of Alberta Health Services.
  - c. Ensure the refrigerator is in proper operating condition and capable of maintaining a temperature of 4°C (40°F).
  - d. Ensure the smoke alarm is operational and in good repair.
  - e. Replace the broken windows in the living room and southwest corner bedroom. These windows must be in good repair and weatherproof.
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 Red Deer, Alberta, May 30, 2025

Confirmation of a verbal order issued to Michael Schulz on May 30, 2025.

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>

Template revised April 17, 2025

Copy: City of Red Deer  
Red Deer RCMP  
Alberta Sheriff's Branch  
Fire

