

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

To: GJS Holdings Inc. c/o David Kozicki
Sheldon Gerard Power
John Peter Vleeming
“the Owners”

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

RE: Those housing premises located in Wetaskiwin, Alberta and municipally described as:
4722 51 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. Mould growth observed in main floor washroom bathtub surround.
- b. Mould growth noted in basement ceiling where a sewer pipe is actively leaking.
- c. The main floor northwest and southwest bedroom window, and basement southwest bedroom window do not meet emergency egress requirements.
- d. There is a stove in the unfinished basement that may be in use for cooking or other heating purposes.
- e. A hydraulic bottle jack is placed on a vertical beam to hold up the main floor.
- f. Front entrance door is inaccessible from the inside.
- g. Several small propane cylinders are located in the bedrooms.
- h. The water heater and furnace are surrounded by miscellaneous items.
- i. Smoke alarm is not installed at any bedroom locations.
- j. Electrical panel is on a wall that has a hole in it to the exterior, exposing the electrical panel to the outside elements.

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. Exposed wiring at locations throughout the house. Lightbulbs in nonworking condition and/or missing at lights throughout the house. Several outlet and switch covers are broken or missing. These conditions are contrary to section 11 of the Minimum Housing and Health Standards which states: “Every housing premises shall be supplied with electrical service. Outlets, switches, and fixtures shall be properly installed and shall be maintained in good and safe working condition.”

- b. Numerous doors, walls, ceilings, baseboards, wall trims are missing or damaged throughout the house. Electrical panel is on a wall that has a hole in it to the exterior, exposing the electrical panel to the outside elements. These conditions are contrary to 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, loose or lifting coverings and in a condition that renders it easy to clean."
- c. Main floor washroom surround at the tub is in poor condition and no longer easily cleanable. Unfinished basement has an open space with no walls where there is a toilet and bathtub. These conditions are contrary to section 5(a) of the Minimum Housing and Health Standards which states: "Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower."
- d. Unfinished basement contains a stove in an open space. This condition is contrary to section 5(b) of the Minimum Housing and Health Standards which states: "Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean."
- e. Furnace heating vent pipes are made from numerous materials; some are crushed, collapsed, or taped together. This condition is contrary to section 8(a) of the Minimum Housing and Health Standards which states: "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."
- f. In the basement area, the sewer pipe is missing a cap and exposed. The sewage pipe is leaking. These conditions are contrary to section 6(a) of the Minimum Housing and Health Standards which states: "The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition."
- g. Basement handrail is missing at the stairs. This condition is contrary to section 3(c)(i) of the Minimum Housing and Health Standards which states: "Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design."
- h. Some windows are missing locks. This condition is contrary to section 3(a) of the Minimum Housing and Health Standards which states: "Exterior windows and doors shall be capable of being secured."
- i. The main floor northwest and southwest bedroom window, and basement southwest bedroom window do not meet emergency egress requirements. This condition is contrary to section 3(b)(ii) of the Minimum Housing and Health Standards which states: "Windows shall provide unobstructed openings with areas not less than 0.35 square metres (3.8 sq. ft.) with no dimension less than 380 mm (15 inches)."
- j. Smoke alarm is not installed at any bedroom locations. This condition is contrary to section 12 of the Minimum Housing and Health Standards which states: "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."
- k. A hydraulic bottle jack is placed on top of a vertical beam to hold up the main floor and does not appear to be structurally sound. This condition is contrary to section 1(a) of the Minimum Housing and Health Standards which states: "The housing premises shall be

structurally sound” and section 1(d) which states: “Repairs or modifications required by the Executive Officer of any structural element of the housing premises may require the design and/or supervision of a professional structural engineer or a Safety Codes Officer (Building Discipline).”

- l. Downstairs bathroom area does not have a hand sink. This condition is contrary to section 7(b) of the Minimum Housing and Health Standards which states: “The wash basin should be in the same room as the flush toilet or close proximity to the door leading into the room containing a flush toilet.”
- m. Lack of suitable ventilation for any bathrooms. This condition is contrary to section 7(c) of the Minimum Housing and Health Standards which states: “All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.”
- n. Screens are missing at all openable windows. This condition is contrary to section 2(b)(iii) of the Minimum Housing and Health Standards which states: “During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.”
- o. Several windows in the house are single pane. This condition is contrary to section 2(b)(ii) of the Minimum Housing and Health Standards which states: “In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.”
- p. Window in the living room has one pane that does not fit properly into the window well. This condition is contrary to 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.”
- q. Exterior cladding material of exterior wall adjacent to the front door is in disrepair. This condition is contrary to section 2(a) of the Minimum Housing and Health Standards which states: “The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”

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. Effective immediately, no one is permitted to occupy the above noted premises except the tenant Angela Makris, who may remain in the premises until no later than August 18, 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 that outlets, switches, lightbulbs are installed so that they are in good working condition. Ensure any exposed electrical wiring is repaired so that it is in safe condition.
 - b. Ensure that all doors, walls, ceilings, baseboards, wall trims are installed and/or repaired where damaged throughout the house.
 - c. Ensure upstairs bathroom tub surround is repaired where damaged. Ensure rooms containing a flush toilet and bathtub are installed with walls, and floors that are smooth, non-absorbent to moisture and easy to clean.
 - d. Remove stove from the basement or ensure the stove area is properly finished with walls, floors that are made of material that are smooth and easily cleanable.

- e. Ensure furnace heating vent pipes are properly installed and maintained in good working condition.
 - f. Ensure that the sewage system is repaired so it is in proper operating condition.
 - g. Ensure that a handrail is installed at the basement stairs and meets requirements of the Alberta Building Code.
 - h. Ensure windows are installed with properly operating locks where missing.
 - i. Ensure that all bedroom windows meet emergency egress requirements.
 - j. Ensure properly operating smoke alarms are installed at the appropriate locations.
 - k. Ensure that the building is properly assessed by a Safety Codes Officer for structural integrity.
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 Wetaskiwin, Alberta, June 1, 2023.

Confirmation of verbal order issued to David Kozicki on June 1, 2023.

Revised upon direction of the Public Health Appeal Board on July 27, 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.

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 October 13, 2022

Copy: City of Wetaskiwin

AMENDED