

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

To: 992979 Alberta Ltd
Ron Victor
“the Owner”

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

RE: Those housing premises located in Bashaw, Alberta and municipally described as:
4744 – 49 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. Mold growth occurring on the ceiling in the bedroom and bathroom.

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. Presence of mold growth on the ceiling, in the main bedroom and bathroom. This condition is in contravention of section 1 (a) and (c) of the Minimum Housing and Health Standards which states, “The housing premises shall be structurally sound”, and “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
- b. Lack of smoke alarm in the bedroom hallway. This condition is in contravention of 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.”
- c. The main bedroom does not have windows that provide emergency egress. This condition is in contravention of section 3(b)(ii) of the Minimum Housing and Health Standards which states, “Windows shall provide unobstructed openings with areas not less than 0.35m² (3.8 ft²), with no dimension less than 380 mm (15 inches).”
- d. The living room floor is in disrepair and there are areas where floor covering is missing. This condition 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.”

- e. The roof is in disrepair and is the cause of mold growth in the bedroom ceiling. This is in contravention of 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. That the occupants vacate the above noted premises on or before July 31, 2019.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remove any moldy or rotting material and remediate the area in the bedroom and bathroom.
 - b. Repair or replace the roof.
 - c. Install a smoke alarm in the hallway.
 - d. Repair flooring in the living room.
 - e. Replace windows in the bedrooms to ensure that it meets the requirements for emergency egress.
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 Ponoka, Alberta, July 15, 2019

Confirmation of a verbal order issued to tenant on July 15, 2019.

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 Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

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: www.health.alberta.ca/about/health-legislation.html

Template revised May 23, 2019

Copy: Town of Bashaw