

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

To: Georg Heier
"the Owner"

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

RE: Those housing premises located in Botha, Alberta and municipally described as:
4801 – 49A 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. Smoke alarm is not functional resulting in fire safety hazard.
- b. The back door is sealed shut preventing emergency egress.
- c. The back and front entrance stairs and rails are improperly designed, damaged or missing components creating a safety hazard.
- d. The roof and eaves-troughs are in poor repair resulting in water damage and ice buildup on exterior stairs and walkways.
- e. There is an insect and rodent infestation resulting in insanitary conditions.

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. Working smoke alarms were not observed between sleeping areas. Section 12 of the Minimum Housing and Health Standards 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 in the hallway."
- b. The back door does not have a functional lock, and is sealed shut preventing emergency egress. Section 3(a) of the Minimum Housing and Health Standards states: "Exterior windows and doors shall be capable of being secured."
- c. Building materials and finishes are in poor condition throughout the premises. Section 5 of the Minimum Housing and Health Standards 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."
- d. The bathroom toilet in the porch area is in disrepair. Section 6(c) of the Minimum Housing and Health Standards states: "All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside."

- e. The front porch and rear stairway are in a state of disrepair and are a safety hazard. Section 3(c) of the Minimum Housing and Health Standards 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.”
- f. Eaves troughs and drainage spouts are missing or in a poor state of repair. Section 2(a) of the Minimum Housing and Health Standards states: “The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”
- g. Roof cladding is in poor condition and not in a weatherproof condition. Section 2(a) of the Minimum Housing and Health Standards states: “The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”
- h. There is an insect and mouse infestation. Section 16(a) of the Minimum Housing and Health Standards states: “The owner shall ensure that the housing premises are free of insect and rodent infestations.”

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 30, 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. Install a smoke alarm between each sleeping area.
 - b. Repair or replace front and back doors so that they are functional and may be secured.
 - c. Repair or replace all damaged building materials in the premises.
 - d. Repair or replace the toilet fixture in the porch area.
 - e. Repair or replace front and rear stairs, rear porch, handrails, and bannisters in compliance with the Alberta Building Code.
 - f. Repair or replace eaves troughs, downspouts and ground surface drainage to ensure water drains away from the building.
 - g. Repair or replace roof cladding to ensure a weatherproof condition.
 - h. The premises must be made free of any insect and rodent infestation, and pest control measures be implemented. All insect and rodent by-products must be disposed of, and all affected surfaces must be cleaned and sanitized.
- 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 Stettler, Alberta, November 29, 2019.

Confirmation of a verbal order issued to Georg Heier on November 28, 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.

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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

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Copy: County of Stettler