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

To: County of Vermilion River
"the Owner"

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

RE: Those housing premises located in the village of Dewberry, Alberta and municipally described as: 4810 49 Avenue, formerly known as 79 Railway Avenue.

AMENDED

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. There are no smoke alarms present in the house.
b. Gas is not supplied to the house.
c. The house does not have any running hot water.
d. Heating facilities are in disrepair, inadequate, and unsafe.
e. Exterior doors and windows are in disrepair and not maintained in a weatherproof condition.
f. The house is not secure due to windows that are broken and/or not lockable.
g. The electrical system is in disrepair.
h. The shingles on the roof are in disrepair and the roof is leaking.
i. Kitchen plumbing supply line is leaking into the basement.
j. Floor, walls, and ceilings are in disrepair throughout the house.

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. There are no smoke alarms present in the house. This condition is contrary to section 12 of the Minimum Housing and Health Standards July 20, 1999 revised June 30, 2012, 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. (a) Smoke alarms shall be operational and in good repair at all times."

b. Gas utility is not being supplied to the house. This condition is contrary to section 8(d) of the Minimum Housing and Health Standards July 20, 1999 revised June 30, 2012, which states: "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 house does not have any running hot water. This condition is contrary to section 9 of the Minimum Housing and Health Standards July 20, 1999 revised June 30, 2012, 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."

d. Heating facilities are in disrepair, inadequate, and unsafe. Small space heaters are located in one bedroom only and an improperly vented wood stove are inadequate to heat the house to an appropriate temperature. This condition is contrary to section 8 of the Minimum Housing and Health Standards July 20, 1999 revised June 30, 2012, which states that: "(a) 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, bathrooms, and toilet rooms within the building to a temperature of; (i) at least 22°C (71°F), or (i) maintained at a temperature of at least 22°C (71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant. (c) Cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room."

e. Many exterior doors and windows are in disrepair and/or are not properly weatherproofed. This condition is contrary to section 2(b)(i) of the Minimum Housing and Health Standards July 20, 1999 revised June 30, 2012, which states that: "All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof."

f. The house is not secure due to many broken and unlockable windows. This condition is contrary to section 3(a) of the Minimum Housing and Health Standards July 20, 1999 revised June 30, 2012, which states: "Exterior windows and doors shall be capable of being secured."

g. The electrical system is in disrepair. This condition is contrary to section 11 of the Minimum Housing and Health Standards July 20, 1999 revised June 30, 2012, which states: "Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition."

h. The shingles on the roof are in disrepair and the roof is leaking. This condition is contrary to section 2(a) of the Minimum Housing and Health Standards July 20, 1999 revised June 30, 2012, which states: "The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition."

i. Kitchen plumbing supply line is leaking into the basement. This condition is contrary to section 6(c) of the Minimum Housing and Health Standards July 20, 1999 revised June 30, 2012, which states that: "All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside."

AMENDED

j. Floors, walls, and ceilings are in disrepair throughout the house. This condition is contrary to section 5 of the Minimum Housing and Health Standards July 20, 1999 revised June 30, 2012, which states that: "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."

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 January 5, 2024.

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 functional smoke alarms in the bedroom hallways.
    b. Ensure the gas utility is supplied to the house.
    c. Ensure hot water heating facilities are able to provide water at sufficient temperature.
    d. Ensure heating facilities are adequate, well maintained, and compliant with applicable building codes.
    e. Ensure all exterior windows and doors are in good repair and properly weatherproofed and lockable.
    f. Ensure the electrical system is properly maintained and up to code.
    g. Repair the roof so that it is completely weatherproof.
    h. Repair the plumbing leak so that water is not continuously running into the basement.
    i. Repair or replace broken floors, walls, and ceilings throughout the home.

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.

AMENDED

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 Wainwright, Alberta, December 22, 2023.

Confirmation of a verbal order issued to the occupants of the home on December 20, 2023.
Order amended June 12, 2024, due to a change in civic address.
Order amended October 22, 2025, due to change in property ownership.

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: County of Vermilion River

AMENDED