

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

To: Rob Cole
Lavene Cole
"the Owners"

And To: All Occupants of the following Housing premises:

RE: Those housing premises located in Holden, Alberta and municipally described as:
4839 49 Avenue, (Plan 3940W, Block 8, Lot 39 & 40)

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. Evidence of sewage and/or wastewater in the basement.
- b. Several curling asphalt shingles on roof of premise.
- c. Bedroom windows have unobstructed openings with areas less than 3.8 square feet.
- d. No handrail for stairs leading from the main floor into the basement.
- e. Missing smoke alarm between each sleeping area.
- f. Lack of serviceable plumbing fixtures in washroom including missing hot water faucet handle, showerhead, bathtub water faucet and non-operational toilet.
- g. The screen door is in disrepair and there's a missing screen for the spare bedroom window.
- h. Peeling paint on the ceiling of the washroom, above the bathtub.

AND WHEREAS such inspection disclosed that the following breaches of the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. Evidence of sewage and/or wastewater in the basement. Distinct smell of sewage was noted from the bottom step of stair in the basement. This is in contravention of section 6(a) of the Minimum Housing and Health Standards which states "The plumbing system and 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."

- b. Several curling asphalt shingles on roof of premise. 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."
- c. Bedroom windows have unobstructed openings with area less than 3.8 square feet. This is in contravention of section 3(b)(ii) of the Minimum Housing and Health Standards which states "Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 square meters (3.8 square feet), with no dimension less than 380 mm (15")."
- d. No handrail for stairs leading from the main floor to the basement. This is in contravention of 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."
- e. Missing smoke alarm between each sleeping area. This 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."
- f. Lack of serviceable plumbing fixtures in washroom including missing hot water faucet handle, showerhead, bathtub water faucet, and non-operational toilet that appears obstructed. This is in contravention of section 6(c) of the Minimum Housing and Health Standards which states "All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside."
- g. The screen door is in disrepair and there's a missing screen for the spare bedroom window. This is in contravention of 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."
- h. Peeling paint on the ceiling of the washroom, above the bathtub. This 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."

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 May 15, 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. Hire a qualified professional to assess the sanitary drainage system in the basement. Repair/replace as necessary to ensure the sanitary drainage system is in good working order and thoroughly clean all areas in the basement that have come into contact with wastewater or sewage.
 - b. Ensure roof is in good repair and maintained in a waterproof, windproof, and weatherproof condition.

- c. Ensure bedroom windows meet egress requirements and have unobstructed openings of at least 3.8 square feet.
 - d. Install handrail for stairs leading from the main floor to the basement.
 - e. Install smoke alarm between sleeping area.
 - f. Install hot water faucet handle, showerhead, bathtub water faucet and remove obstruction in toilet to ensure it is in good working order.
 - g. Remove or replace back screen door and install screen in spare bedroom.
 - h. Refinish ceiling in washroom, above bathtub, that renders it easy to clean.
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 Tofield, Alberta, April 17, 2025.

Confirmation of a verbal order issued to Leonard Creighton on April 16, 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
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>.

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Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Template revised January 21, 2025

Copy: Village of Holden