

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

To: Jaspal (Paul) Singh Boparai
"the Owner"

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

RE: Those housing premises located in Provost, Alberta and municipally described as:
5027 52 Street.

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. Lack of adequate heat to the premises.
- b. No running water in the house due to frozen water pipes.
- c. The house is not structurally supported resulting in the main floor sinking.
- d. No smoke alarms are present in the house.
- e. Electrical deficiencies exist in the house, including the use of extension cords for power on the second floor.

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 is a lack of adequate heat to the premises. Furnace was shut off after an inspection by ATCO gas revealed critical safety issues. This condition is contrary to Section 8 of the Minimum Housing and Health Standards M.O. 57/2012, 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."
- b. There is no running water in the house due to frozen water pipes. This condition is contrary to Section 9 of the Minimum Housing and Health Standards M.O. 57/2012, which states that: "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.”

- c. The house is not structurally supported resulting in the main floor sinking This condition is contrary to Section 1 of the Minimum Housing and Health Standards M.O. 57/2012, which states that: “(a) The housing premises shall be structurally sound. (b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation. (c) Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced. (d) 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).”
- d. There are no smoke alarms present in the house. This condition is contrary to Section 12 of the Minimum Housing and Health Standards M.O. 57/2012, which states that: “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.”
- e. Electrical deficiencies exist in the house, including the use of extension cords for power on the second floor. This condition is contrary to Section 11 of the Minimum Housing and Health Standards M.O. 57/2012, which states that: “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.”

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 27, 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. Repair the furnace to a safe working condition so that it is capable of heating the premises to an appropriate temperature of at least 22°C (71°F).
 - b. Restore the premises with potable running water, and repair or replace any damaged plumbing.
 - c. Make the house structurally sound as verified by a professional structural engineer.
 - d. Install functional smoke alarms in the hallways of sleeping areas.
 - e. Repair and update all electrical deficiencies in the house so they meet current code.
- 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 Wainwright, Alberta, November 27, 2024

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: Town of Provost – Bylaw
Superior Safety Codes