

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

To: Jerry Barber
"the Owner"

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

RE: Those housing premises located in Irma, Alberta and municipally described as:
5036 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. The house is not structurally sound, there are major horizontal cracks in the foundation, and the foundation is bowing inward.
- b. Walls and ceilings are cracked due to the shifting of 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. The house is not structurally sound, there are major horizontal cracks in the foundation, and the foundation is bowing inward. This condition is contrary to Section 1 of the Public Health Act, Minimum Housing and Health Standards July 20, 1999 revised June 30, 2012, that states: "(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)."
- b. Walls and ceilings are cracked due to the shifting of the house. This condition is contrary to Section 5 of the Public Health Act, Minimum Housing and Health Standards July 20, 1999 revised June 30, 2012, that 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 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. Repair the house to a structurally sound condition as verified by a professional structural engineer or building safety codes officer.
 - b. Repair any finishes that have been damaged due to the shifting of the house.
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, December 12, 2023

Confirmation of a verbal order issued to Jerry Barber on December 12, 2023.

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>

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Copy: Village of Irma