

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

To: Estate of Mr. Paul Pawluk
"the Owner"

And To: Mr. Wayne Scott and
All Occupant(s) of the following Housing premises:

RE: Those housing premises (residence and detached garage) located in Viking, Alberta and municipally described as: 5115 – 54 Avenue, Plan 1174W, Block 13, Lot 17

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. There is no potable water supply for both the residence and detached garage.
- b. There is no plumbing and sewage disposal system for the detached garage.
- c. There are no washroom facilities for the garage and non-functional washroom facilities for the residence. Washbasin was observed with no cold water faucet handle.
- d. There are no proper heating facilities for the garage and non-functional heating facilities for the residence. A wood burning stove was observed in the detached garage at the time of inspection.
- e. There is no power service supply for the residence and detached garage.
- f. Front porch of residence was observed to be in disrepair and there was no handrail for the stairs leading from the main floor to the basement.
- g. No smoke alarm in place for the residence.

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. There is no potable water supply for both the residence and detached garage. This is in contravention of section 9 of the Minimum Housing and Health Standards 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."
- b. There is no plumbing and sewage disposal system for the detached garage. This is in contravention of section 6 of the Minimum Housing and Health Standards which states

- “Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system.”
- c. There are no washroom facilities for the detached garage and non-functional washroom facilities for the residence. Washbasin was observed with no cold water faucet handle. This is in contravention of section 7 of the Minimum Housing and Health Standards which states “Every housing premises shall be provided with plumbing fixtures of an approved type consisting of a flush toilet, a washbasin, and a bathtub or shower.” Further note that section 7(a) states “The washbasins and bathtub or shower shall be supplied with potable hot and cold running water.”
 - d. There are no proper heating facilities for the detached garage and non-functional heating facilities for the residence. A wood burning stove was observed in the detached garage at the time of inspection. This is in contravention of section 8(a)(i) of the Minimum Housing and Health Standards which states “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 at least 22 degrees C.”
 - e. There is no power service supply for both the residence and the detached garage. This is in contravention of section 8(d) of the Minimum Housing and Health Standards 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.”
 - f. Front porch of residence was observed to be in disrepair and there was no handrail for the 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.”
 - g. No smoke alarm in place for the residence. 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 in the hallway.”

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 December 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. Resume utilities services including water, power, and heating for the residence.
 - b. Ensure washrooms are provided in all living areas and that all provided washrooms are fully functional.
 - c. Replace/repair as deemed necessary the front porch of the residence
 - d. Install smoke alarm for the sleeping area in the residence.
 - e. Prohibit the use of the detached garage for living and sleeping purposes.

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, November 19, 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>.

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 April 17, 2025

Copy: 1) Town of Viking
2) Ms. Mildred Pawluk