

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

**To:** Tim Ibberson  
"the Owner"

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

**RE:** Those housing premises located in Wetaskiwin, Alberta and municipally described as:  
5142 55 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. There is no potable water available to the rental property at the time of inspection.
- b. The front windows, both top and bottom, are cracked and have broken glass in multiple areas, and the back bottom window is currently boarded up and in a state of disrepair.
- c. The rental property is in an extremely unsanitary state. There is pervasive garbage, and miscellaneous materials throughout all rooms and common spaces.
- d. There is an extensive fruit fly infestation observed in the kitchen area.
- e. The kitchen sink is in a state of disrepair. The faucet lever is detached from the sink.
- f. The toilet on the main floor is in a state of disrepair. The toilet is not flushing and is clogged with fecal matter.
- g. The carpets in the bedrooms and common areas, as well as the tile flooring in the kitchen and bathroom, are in a state of disrepair and unsanitary.
- h. There is a missing ceiling access panel near the kitchen on the main floor and the walls have holes and missing access panels throughout the premise.
- i. Light fixtures throughout the premise are in a state of disrepair. (E.g., broken light bulbs, exposed wiring, missing light covers).
- j. Inadequate weatherproofing observed at the front and rear doors.
- k. All bedroom windows are missing window screens.

**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 no potable water available to the rental property at the time of inspection. This is in contravention of Section 9 of the Minimum Housing and Health Standards, 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.”

- b. The front windows, both top and bottom, are cracked and have broken glass in multiple areas, and the back bottom window is currently boarded up and in a state of disrepair. This is in contravention of Section 2(b)(i) of the Minimum Housing and Health Standards, which states that “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- c. The rental property is in an extremely unsanitary state. There is pervasive garbage, and miscellaneous materials throughout all rooms and common spaces. This is in contravention of Section 16 of the Minimum Housing and Health Standards, which states that “The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition.”
- d. There is an extensive fruit fly infestation observed in the kitchen area. This is in contravention of Section 16(a) of the Minimum Housing and Health Standards, which states that “The owner shall ensure that the housing premises are free of insect and rodent infestations.”
- e. The kitchen sink is in a state of disrepair. The faucet lever is detached from the sink. This is in contravention of Section 6(a) of the Minimum Housing and Health Standards, which states that “The plumbing system and the 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.”
- f. The toilet on the main floor is in a state of disrepair. The toilet is not flushing and is clogged with fecal matter. This is in contravention of Section 6(a) of the Minimum Housing and Health Standards, which states that “The plumbing system and the 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.”
- g. The carpets in the bedrooms and common areas, as well as the tile flooring in the kitchen and bathroom, are in a state of disrepair and unsanitary. This is in contravention of Section 5 of the Minimum Housing and Health Standards, 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.”
- h. There is a missing ceiling access panel near the kitchen on the main floor and the walls have holes and missing access panels throughout the premise. This is in contravention of Section 5 of the Minimum Housing and Health Standards, 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.”
- i. Light fixtures throughout the premise are in a state of disrepair. (E.g., broken light bulbs, exposed wiring, missing light covers). This is in contravention of Section 11 of the Minimum Housing and Health Standards, 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.”
- j. Inadequate weatherproofing observed at the front and rear doors. This is in contravention of Section 2(b)(i) of the Minimum Housing and Health Standards, which states that “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- k. All bedroom windows are missing window screens. This is in contravention of Section 2(b)(iii) of the Minimum Housing and Health Standards, which states that “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.”

**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 October 16, 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. Restore access to potable hot and cold water in the rental unit.
  - b. Ensure the repair of all damaged exterior windows.
  - c. Ensure a thorough clean up of the interior space of the rental property.
  - d. Eliminate the fruit fly infestation.
  - e. Ensure the kitchen sink lever is replaced to provide access to potable water.
  - f. Ensure the toilet is repaired and is in good working order.
  - g. Ensure all damaged and unsanitary flooring is repaired and cleaned to promote a clean and sanitary environment.
  - h. Ensure to replace any missing ceiling access panels, repair all holes in the walls, and replace any wall access panels that are missing.
  - i. Ensure all damaged electrical outlets are repaired and in good working order.
  - j. Ensure adequate weatherstripping is installed on the front and rear doors of the property.
  - k. Ensure all missing window screens are replaced during the portion of the year when there is a need for protection against flies and other flying insects.
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 Wetaskiwin, Alberta, October 22, 2024

Confirmation of a verbal order issued to Tim Ibberson on October 15, 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](mailto: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>

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