

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

**To:** Bernard Skoretz  
"the Owner"

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

**RE:** Those housing premises located in Lacombe, Alberta and municipally described as:  
5332 50 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 windows in the bedrooms do not open.
- b. The floor in the northeast bedroom slopes down from west to east.
- c. The ceiling in the northeast bedroom is bowing down into the room.

**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 windows in the bedrooms do not open. Contrary to Section 3(b)(i) of the Minimum Housing and Health Standards that states: "For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge." And Section 4(i) of the Minimum Housing and Health Standards that states: "All rooms used for sleeping shall be provided with: (a) an openable window area of 0.28m<sup>2</sup> (3.0ft<sup>2</sup>); or (b) mechanical ventilation in conformance with the requirements of the Alberta Building Code."
- b. The floor in the northeast bedroom slopes down from west to east. Contrary to Section 1(a) of the Minimum Housing and Health Standards that states: "The housing premises shall be structurally sound."
- c. The ceiling in the northeast bedroom is bowing down into the room. Contrary to Section 1(a) of the Minimum Housing and Health Standards that states: "The housing premises shall be structurally sound."
- d. The tub surround is not sealed properly to the top of the bathtub. Contrary to Section 5(a) of the Minimum Housing and Health Standards that states: "Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to

moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.”

**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 29, 2019.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Ensure that the bedroom windows can be opened with an openable area of at least 0.35m<sup>2</sup> (3.8ft<sup>2</sup>).
  - b. Ensure that the floors and ceilings are structurally sound.
  - c. Ensure that the tub surround is sealed properly to the bathtub.
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 Red Deer, Alberta, November 4, 2019

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 Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or [www.qp.gov.ab.ca](http://www.qp.gov.ab.ca).

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Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)

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