

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

To: Julie Pilling
Brandt Pilling
"the Owner"

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

RE: Those housing premises located in Lamont County, Alberta and municipally described as:
543069 Range Road 191

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 are no functional smoke alarms in the premises.
- b. The master bedroom does not have a window which is suitable for emergency egress.
- c. Evidence of a mouse infestation.
- d. There is damage or rotting to the wooden deck in several places.
- e. Mould along the basement walls.
- f. Water infiltration in the basement.

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. No functional smoke alarms in the premises. This condition 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 within the hallway."
- b. The window in the master bedroom intended for emergency egress has one dimension of 340mm. This condition is in contravention of Section 3(b) of the Minimum Housing and Health Standards, which states: "Emergency Egress (i) For buildings of 3 stories 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. (ii) windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35m² (3.8 ft²), with no dimension less than 380mm (15"). (iii) If the window referred in section 3(b)(i) is

- provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge.”
- c. An accumulation of mouse droppings were present in the basement. This condition is in contravention of Section 16(a) of the Minimum Housing and Health Standards, which states: “The owner shall ensure that the housing premises are free of insect and rodent infestations.”
 - d. There is visible mould along the walls of the basement. This condition is in contravention of Section 5(2) of the Housing Regulation, which states: “No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any concerns that may hinder in any way the prevention or suppression of disease.”
 - e. There are multiple areas within the basement showing signs and indications of water infiltration. This condition is in contravention of Section 1(b)(c)(d) of the Minimum Housing and Health Standards, which states: “Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation. Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced. 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 Safety Codes Officer (building Discipline).”
 - f. The upstairs bedroom ceiling is damaged and the wall is partially unfinished. This condition is in contravention of Section 5 of the Minimum Housing and Health Standards, which 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.”
 - g. The septic tank has a rubber tire within it and a wooden cover indicating it does not meet the private sewage system standard of practice. This condition 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.”
 - h. The large window on the east side of the living room is cracked. This condition is in contravention of Section 2(b)(i) of the Minimum Housing and Health Standards, which states: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
 - i. There is no handrail on the basement stairs. This condition 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.”

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 July 30, 2020.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure there is a functional smoke alarm for each of the bedrooms.

- b. Ensure the window in the master bedroom meets emergency egress requirements.
 - c. Ensure the premises if free from mice.
 - d. Remove all mould or water damaged material within the basement.
 - e. Conduct the necessary repairs to stop water infiltration into the basement.
 - f. Ensure the ceiling and walls in the upstairs bedroom are finished and in good condition.
 - g. Install a private sewage system that is in compliance with the Alberta Private Sewage Systems Standard of Practice 2015.
 - h. Have the large window on the east side of the living room in good condition.
 - i. Install a handrail on the basement stairs.
 - j. Repair the deck to ensure it is in good condition.
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 Lamont, Alberta, July 14, 2020

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 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.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Copy: Lamont County