

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

**To:** Danniella Brookes  
"the Owner"

And

Susan Massincaud  
"the Occupant"

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

**RE:** Those housing premises located in Blackfalds, Alberta and municipally described as:  
Unit E12, 5500 Womacks Road (Formerly Gregg Street) (the "Premises")

**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 mobile home on the Premises was packed with extreme amounts of garbage, food debris, filth, and clutter limiting mobility and access throughout the home as well as posing a potential fire hazard.
- b. A lack of running water.
- c. There is a severe pest infestation throughout the Premises. Extensive amounts of mouse droppings were observed throughout the mobile home including the kitchen, living room, bedrooms, closets, hallway, and washroom. Additionally, mice nests were observed in several areas of the mobile home.
- d. Missing smoke alarms in the hallway and non-functional smoke alarms in the north facing bedroom suite.
- e. Non-functioning toilet, inaccessible sink in the washroom, and possible sewage accumulation observed in the bathtub.

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act, the Nuisance and General Sanitation Regulation 243/2003, 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 mobile home was packed with extreme amounts of garbage, food debris, filth, and clutter limiting mobility and access throughout the home as well as posing a potential fire hazard. This condition is in contravention of Section 2(1) of the Nuisance and General

Sanitation Regulation which states that: “No person shall create, commit or maintain a nuisance” and section 8(2) which states that: “Garbage and refuse must be held in containers constructed of metal or other substantial and impervious material”.

- b. A lack of running water. This condition is in contravention of Section 3(1)(b)(iii) of the Housing Regulation which states that: an owner shall ensure that “the occupants of the housing premises are supplied with running hot and cold water that is safe for human consumption” and 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.”
- c. There is a severe pest infestation in the mobile home. Extensive amounts of mouse droppings were observed throughout the home including the kitchen, living room, bedrooms, closets, hallway, and washroom. Additionally, mice nests were observed in several areas of the home. This condition is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states that: “No person shall create, commit or maintain a nuisance” and 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. Missing smoke alarms in the hallway and non-functional smoke alarms in north facing bedroom suite. This condition is contrary to Section 12(a) of the Minimum Housing and Health Standards which states: “Smoke alarms shall be operational and in good repair at all times.”
- e. Non-functioning toilet, inaccessible sink in the washroom, and possible sewage accumulation observed in the bathtub. This condition is in contravention of:
  - i. Sections 2(1), 7(a), 7(b) and 7(c)(ii) of the Nuisance and General Sanitation Regulation which state, respectively, that: “No person shall create, commit or maintain a nuisance”; that the owner of a public place shall ensure that “toilet facilities are installed and maintained so that they are accessible to the persons for whom they are intended”; “toilet facilities are maintained in a clean and sanitary condition and in good working order” and “hand washing facilities are provided with an adequate supply of.... running water”
  - ii. Section 3(1)(b)(i) of the Housing Regulation which states that an owner shall ensure that occupants are supplied with adequate “sanitary facilities, including a sanitary drainage system or private sewage disposal system”; and
  - iii. Section 6(a) of the Minimum Housing and Health Standards which states: “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, pump out sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
- f. Excessive flies and other insects were observed in the living room, kitchen, and bathroom. This condition is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states that: “No person shall create, commit or maintain a nuisance” and 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.”

- g. Excessive clutter, tools, and other various objects were observed in the backyard of the home. Clutter and various objects were also observed being stored in the unsecured vehicle located in the front area of the mobile home. This condition is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states that: "No person shall create, commit or maintain a nuisance."
- h. Windows in the living room and bedrooms were not lockable. This condition is in contravention of section 3(a) of the Minimum Housing and Health Standards, which states: "Exterior windows and doors shall be capable of being secured."
- i. Several plugged-in portable space heaters surrounded by clutter, paper, and other various items observed in the south facing office room. This condition is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states that: "No person shall create, commit or maintain a nuisance."
- j. A functional unprotected plugged-in chest freezer was observed stored outside beside the mobile home posing a potential fire hazard. This condition is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states that: "No person shall create, commit or maintain a nuisance."

**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 occupant(s) vacate the above noted premises on or before August 27, 2023 (the "Vacate Date") and the owner immediately secure the premises from unauthorized entry.
- 2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Remove all excessive garbage, food debris, filth, and clutter from the home.
  - b. Ensure that hot and cold potable water is available for the home.
  - c. Ensure that a qualified pest control company is hired, and corrective measures are taken to remediate the pest infestation (mice, flies, and insects).
  - d. Ensure smoke alarms are 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.
  - e. Ensure the toilet is functioning, the washroom sink is accessible, and the bathtub is thoroughly cleaned and disinfected. The plumbing system and the sanitary drainage system must be in proper operating condition.
  - f. Remove all excess clutter, tools, and various objects from the backyard and the interior of the vehicle located in the front yard. Ensure this vehicle is kept secured.
  - g. Ensure windows in the living room and bedrooms are capable of being secured (i.e., lockable).
  - h. Ensure space heaters are not utilized amongst excessive clutter to mitigate potential fire risk.

- i. Ensure that the freezer and the electrical outlet where the freezer is plugged in is protected from adverse weather to mitigate potential fire risk. Alternatively, this freezer may be removed.
3. That the above noted premises shall remain vacant following the Vacate Date until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services.

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, June 7, 2023

Confirmation of a verbal order issued to Danniella Brookes on June 1, 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](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>.

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 October 13, 2022

Copy: Town of Blackfalds  
Blackfalds RCMP