

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

**To:** Robert Johnston  
"the Owner"

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

**RE:** Those housing premises located in Stettler, Alberta and municipally described as:  
57 Emmerson Acres

**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 smoke alarms installed between each sleeping area.
- b. There are exposed electrical wires hanging from the ceiling and walls.
- c. There is water infiltrating through the roof into the bathroom, bedroom and hallways.
- d. The bedroom walls and floor are water damaged and in a state of disrepair.

**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 are no smoke alarms installed between each sleeping area. This is in contravention of Section 12 (a) 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. (a) Smoke alarms shall be operational and in good repair at all times."
- b. There are exposed wires hanging from above the hallway ceiling, and from the wall beside the sink. Several of the electrical outlets are scorched with burn marks. This is in contravention of Section 11 of the Minimum Housing and Health Standards which states: "Every housing premises shall be supplied with electrical services. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition."
- c. There are multiple areas of the premises, including the bedroom, bathroom and hallways where water has infiltrated through the roof of the premises and has damaged and stained the ceiling materials. This condition is contrary to Section 2 (a) of the Minimum Housing

and Health Standards which states: “The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”

- d. The south and east bedroom walls and the south bathroom wall, are water damaged. This condition is contrary to 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.”

**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 January 31, 2019.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. A functional smoke alarm is to be installed in the hallway serving the sleeping areas.
  - b. Electrical service lines, outlets and fixtures are to be repaired and rendered in a safe condition as verified by an approved duly qualified electrician or a safety codes officer.
  - c. Immediate measures must be taken to prevent water infiltration into the premises.
  - d. Water damaged ceiling materials, walls and flooring must be removed and repaired/replaced.
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 Stettler, Alberta, January 10, 2019

Confirmation of a verbal order issued to Robert Johnston on January 7, 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: <http://www.health.alberta.ca/about/PHAB.html>

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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