

ORDER OF AN EXECUTIVE OFFICER

To: Jasen Peter Boyko
Wendy Boyko
“the Owners”

And

Soul Property Solutions Ltd.
Dean Gerald Leischner
“the Representative”

RE: Those housing premises located in Red Deer, Alberta and municipally described as:
5811 43 Avenue – Basement.

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 was a sewage back-up in the basement bathroom.
- b. Carpets surrounding the bathroom area were wet. Materials (including bathroom and den baseboards, walls in the mechanical room) are water damaged with evidence of mould growth.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. There was a sewage back-up in the basement bathroom. This condition is in contravention of 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, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.”
- b. Carpets surrounding the bathroom area were wet. Materials (including bathroom and den baseboards, walls in the mechanical room) are water damaged with evidence of mould growth. This condition is in contravention of Section 1(c) of the Minimum Housing and Health Standards which states: “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.” and Section 2(1) of the Nuisance and General Sanitation Regulation which states that: “No person shall create, commit or maintain a nuisance.”

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Identify the cause of the sewage back-up and implement corrective measures to ensure the plumbing and sanitary drainage system is in proper operating condition.
 - b. Ensure appropriate repairs are conducted by a qualified restoration company and/or specialist. All materials that are wet or water damaged as a result of the sewage back-up must be repaired and/or replaced. Areas showing evidence of mould growth must also be remediated.
 - c. Ensure any additional work, as part of the restoration process, is completed.
 - d. Ensure restoration records detailing the remedial work are provided to an Executive Officer with Alberta Health Services for review.
2. The work referred to in paragraph 1 shall be completed by October 7, 2024.

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, September 26, 2024

Confirmation of a verbal order issued to Dean Leischner on September 26, 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

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>

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