

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

**To:** James Craig Murray  
Bryan William Murray  
“the Owners”

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

**RE:** Those housing premises located in Wainwright, Alberta and municipally described as:  
605 6 Avenue, Units 2, 6, 8, 9, 16, and 19

**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 of units 2, 6, 8, 9, 16, and 19 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. Units in the building are not equipped with functional smoke alarms.
- b. Several windows, including bedroom windows, have been bolted shut, which inhibits egress.
- c. Lines that supply the gas to the convection heaters and hot water heaters run through the main living space in multiple units. This poses a fire risk if lines are damaged. The maintenance of the old gas heaters is questionable.
- d. The building is poorly insulated, weatherproofed, and the gas convection heaters are inadequate for larger units, rendering it difficult to maintain habitable temperatures, especially in winter months. This has resulted in space heaters being used by tenants to compensate for lack of heat.
- e. Many windows are broken and not secure, which impacts residents' safety.

**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 units are equipped with functional smoke alarms. This condition is contrary to Section 12 of the Minimum Housing and Health Standards M.O. 57/2012, which states that: *“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. Bedroom windows in suites with separate bedrooms are bolted shut. This condition is contrary to Section 3(a) of the Minimum Housing and Health Standards M.O. 57/2012, which states that: *“(i) 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.”*

- c. Convection heaters are inadequate to heat some of the larger multi-room units and are in questionable repair, throughout the building. Electric space heaters are being used to heat rooms, in some cases. This condition is contrary to Section 8 of the of the Minimum Housing and Health Standards M.O. 57/2012, which states that: *“(a) All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of; (i) at least 22°C(71°F), or (i) maintained at a temperature of at least 22°C (71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant. (c) Cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room.”*
- d. Many exterior windows are broken and most do not lock properly. This condition is contrary to Section 3(a) of the Minimum Housing and Health Standards M.O. 57/2012, which states that: *“Exterior windows and doors shall be capable of being secured.”*
- e. Many exterior windows are single paned or not properly weatherproofed. This condition is contrary to Section 2(b)(ii) of the Minimum Housing and Health Standards M.O. 57/2012, which states that: *“In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.”*
- f. Most exterior windows do not have screens. This condition is contrary to Section 2(b)(iii) of the Minimum Housing and Health Standards M.O. 57/2012, which states that *“During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.”*
- g. Electrical cover plates are missing from some light switches and electrical fixtures. This condition is contrary to Section 11 of the Minimum Housing and Health Standards M.O. 57/2012, which states that: *“Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”*
- h. Shingles are curling, and eaves troughs and downspouts are missing or are inadequate to divert water away from the building. These conditions are contrary to Section 2(a) of the Minimum Housing and Health Standards M.O. 57/2012, which states that: *“The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”*
- i. Many exterior doors are in disrepair and/or are not properly weatherproofed. This condition is contrary to Section 2(b)(i) of the Minimum Housing and Health Standards M.O. 57/2012, which states that: *“All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof.”*

- j. Most bathrooms are not equipped with functional ventilation. This condition is contrary to Section 7(c) of the Minimum Housing and Health Standards M.O. 57/2012, which states that: *“All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.”*
- k. Floor, wall, and ceiling finishes are in disrepair throughout each unit. These conditions are contrary to Section 5 of the Minimum Housing and Health Standards M.O. 57/2012, which states that: *“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 units are hereby declared to be **Unfit for Human Habitation**.

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

1. That the occupants **vacate units 2, 6, 8, 9, 16, and 19** in the above noted premises on or before **August 5, 2022**.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Install functional smoke alarms at appropriate locations in all units.
  - b. Repair or replace bedroom windows so that they are openable, lockable and properly screened.
  - c. Ensure heating facilities are adequate, well maintained, and compliant with applicable building codes.
  - d. Ensure all exterior windows are in good repair, lockable, double glazed or equipped with a storm sash, and screened.
  - e. Ensure all electrical fixtures are equipped with cover plates.
  - f. Repair or replace damaged shingles and install appropriate exterior drainage systems, including eaves troughs and downspouts.
  - g. Ensure all exterior doors are in good repair and weatherproof.
  - h. Ensure all bathrooms are equipped with either natural or mechanical ventilation.
  - i. Repair or replace damaged floor, wall, and ceiling surfaces and ensure all finishes are maintained in good repair.
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 units 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 Wainwright, Alberta, July 26, 2022

Confirmation of a verbal order issued to Craig Murray on July 21, 2022.

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 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).

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](http://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>

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Copy: Town of Wainwright  
Wainwright RCMP