

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

**To:** Phyllis Toccoa Stuckey  
"the Owner"

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

**RE:** Those housing premises located in County of Stettler, Alberta and municipally described as: NE 34-38-19 W4

**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 roof of the premise is not in a weatherproof condition.
- b. Water is infiltrating the basement of the premise and is accumulating on the basement floor.
- c. There are three broken windows.
- d. Bedroom ceiling is water damaged.

**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. The roof of the premise is not in a weatherproof condition. This condition is in contravention of Section 2(a) of the Minimum Housing and Health Standards which states, "The roof and external cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition."
- b. Water is infiltrating the basement of the premises. This condition is in contravention of Section 1(b) 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 infiltrations and accumulation."
- c. There are three broken exterior windows. 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."
- d. The ceiling in the bedroom is water damaged. 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."

**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 September 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. Repair the roof of the premises to ensure that it is in a weatherproof condition.
  - b. Take immediate measure to prevent water infiltration into the basement of the premises, and remove all stagnate water and water damaged materials in the basement.
  - c. Repair all broken windows in the premises.
  - d. Repair the water damaged bedroom ceiling.
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, September 18, 2020.

Confirmation of a verbal order issued to Phyllis Stuckey on September 15, 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](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 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).

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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