

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

To: Michael Peter Clarke

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

RE: 10111 102 Avenue, Morinville, Alberta

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above 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 premise which are or may become injurious or dangerous to the public health or which might hinder the prevention or suppression of disease, namely:

- a. The housing premise is not maintained in a waterproof condition as the roof is leaking.
- b. There is water infiltration in the basement and water is present in and near the basement walls.
- c. The housing premise is not in good repair as the ceiling in the family room and bedroom are damaged, bowing and soft to touch.
- d. The wood panel wall in the stairway is damaged.
- e. Exposed wood material in the stairway is rotting.
- f. The plumbing in the upstairs bathroom is in disrepair and is leaking into the ceiling and affecting the floor below.
- g. The bathroom on the main level is not provided with natural or mechanical ventilation.
- h. There are no functional smoke alarms in the dwelling.
- i. There is a mould like substance on the wood walls in the stairway and on the walls in the basement.
- j. There are exposed nails on the walls in the stairway.
- k. There is a strong urine and feces smell and an accumulation of debris in the basement.
- l. The showerhead in the bathroom is mounted on a material that is absorbent to moisture.
- m. Floors vents have an accumulation of debris and are not kept in a sanitary manner.
- n. The premise is not in a safe condition as there is construction occurring inside and the area is not blocked off from the tenants and poses a safety concern for those living in the premise.
- o. Carpets through out the home are in an unsanitary manner- spills, stains and an accumulation of dirt and debris.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Regulations there under exist in and about the above noted premises, namely:

- a. The housing premise is not maintained in a waterproof condition as the roof is leaking, which is in violation of 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.*
- b. There is water infiltration in the basement and water is present in and near the basement walls which is in violation of section 3 (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 infiltration and accumulation.*
- c. The housing premise is not in good repair as the ceiling in the family room and bedroom are damaged, bowing and soft to touch which is in violation 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.*
- d. The wood panel wall in the stairway is damaged, which is in violation 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.*
- e. Exposed wood material in the stairway is rotting, which is in violation 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.*
- f. The plumbing in the upstairs bathroom is in disrepair and is leaking into the ceiling and affecting the floor below, which is in violation of section 6(c) of the Minimum Housing and Health Standards which states *all plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.*
- g. The bathroom on the main level is not provided with natural or mechanical ventilation, which is in violation of section 7 (c) of the Minimum Housing and Health Standards which states *all rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation*
- h. There are no functional smoke alarms in the dwelling, which is in violation of section 12 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.*
- i. There is a mould like substance on the wood wall in the stairway and on the walls in the basement, which is in violation 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.*
- j. There are exposed nails on the wall in the stairway, which is in violation 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.*

- k. There is animal waste and other waste and debris in the basement, which is in violation of section 16 of the Minimum Housing and Health Standards which states *the owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition.*
- l. The showerhead in the bathroom is mounted on a material that is absorbent to moisture, which is in violation of section 6(a) of the Minimum Housing and Health Standards which states *rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean.*
- m. Floors vents have an accumulation of debris and are not kept in a sanitary manner, which is in violation of section 16 of the Minimum Housing and Health Standards which states *the owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition.*
- n. The premise is not in a safe condition as there is construction occurring inside and outside of the home and areas are not blocked off from the tenants and poses a safety concern for those living in the premise, which is in violation of section 3(1a)iii) of the Housing Regulation which states *an owner shall ensure that the housing premises are (ii) in a safe condition.*
- o. Carpets through out the home were found in an unsanitary manner- spills, stains and an accumulation of dirt and debris, which is in violation of section 16 of the Minimum Housing and Health Standards which states *the owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition.*

AND WHEREAS, by virtue of the foregoing, the above noted premise is hereby declared to be **Unfit for Human Habitation.**

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

- a. That the occupants vacate the above noted premises on or before August 7, 2011.
- b. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Repair the roof so the housing premise is maintained in a waterproof condition, windproof and weatherproof condition.
 - b. Remove any water in the basement and dry the affected areas. Ensure the basement is maintained in good repair and free from water infiltration and accumulation.
 - c. Repair the ceiling in the family room and bedroom.
 - d. Replace the damaged wood panel wall in the stairway.
 - e. Remove the damaged and rotting wood material in the stairway.
 - f. Repair the plumbing in the upstairs bathroom so it is free from leaks.
 - g. Install mechanical ventilation in the bathroom on the main level.
 - h. Install functional smoke alarms in the dwelling and ensure they are operational and in good repair at all times.
 - i. Cover, remove or take the actions necessary to ensure there are no exposed nails on the wall in the stairway.

- j. Clean the basement so it is free of debris and animal feces.
- k. Replace, repaint or refinish the wood block the showerhead is mounted on and ensure it is finished in material that can be easily cleaned and is nonabsorbent to moisture.
- l. Have the furnace vents and ducts throughout the home cleaned and serviced.
- m. Clean all the carpets in the home so they are clean and sanitary
- n. Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced. Where water damage has occurred, the area must be assessed to determine the extent of damage and mould contamination. This assessment must include insulation and any other absorbent material in wall and ceiling cavities. All moldy material must be removed and the area cleaned and dried before repairs and refinishing are completed.

Where mould growth is extensive, mould remediation must be consistent with procedures in these or similar documents:

- **Mould Remediation in Schools and Commercial Buildings (EPA, 2001)**
- **Guidelines on Assessment and Remediation of Fungi in Indoor Environments (New York City Department of Health, 2008)**
- **Mould Guidelines for the Canadian Construction Association (CCA, 2004)**
- **Mould in Indoor Environments Risk Assessment and Management Program Handbook (Alberta Research Council / Alberta Infrastructure and Transportation 2006)**

- c. 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 St. Albert, Alberta, August 2, 2011

_____(Original Signed)_____
Meaghen Allen, BSc., BEH (AD), CPHI(C)
Executive Officer
Environmental Health Officer

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 within ten (10) days after receiving the order to the Public Health Appeal Board located at 24th Floor, Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta, T5J 1S6. Telephone (780) 427-2813.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at (780) 342-0122, or the Public Health Appeal Board (780) 427-2813.

You are advised that all orders remain in effect pending such an appeal

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.

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.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health & Wellness at (780) 427-4518, or by visiting: www.health.alberta.ca/about/health-legislation.html