

# **UNFIT FOR HUMAN HABITATION**

**1000026 Alberta Ltd  
Edmonton, Alberta**

**Ben Silkin  
Edmonton, Alberta**

May 12, 2010

WHEREAS pursuant to the provisions of Sections 59, 60, and 62 of the Public Health Act being Chapter P-37 of the Statutes of Alberta, an Executive Officer of a Regional Health Authority may declare any place or part of it to be Unfit for Human Habitation if he has reasonable and probable grounds to believe that a nuisance exists in that place or that the place or the owner of it is in contravention of the Public Health Act or the Regulations.

AND WHEREAS the following conditions exist in the housing premises located at  
**Plan 2857HW; Block 18; Lot 1**  
municipally known as: **Basement Suite, 10302 – 159 Street, Edmonton**  
that are or may become injurious or dangerous to health or that might hinder in any manner the prevention, or suppression of disease, or are in contravention of the Housing Regulation pursuant to Section 66 of the Public Health Act, to wit:

## **Damaged Rotted Building Materials**

1. Flooring throughout basement suite living area and bathroom in structurally unsound condition with soft and spongy areas and dry rot to flooring members.

## **Un-Acceptable Bedroom Window**

2. Openable area of basement suite bedroom window measured at 10 inches x 10 inches or 0.69 square feet which is unacceptable for emergency egress.

## **Bathroom Deficiencies**

3. No mechanical or natural ventilation provided to suite bathroom.

## **Nuisance**

4. Present condition of the suite flooring including soft and spongy areas as well as dry rot is indicative of water infiltration into floor cavity beneath and may harbor and/or is conducive to mould growth.

NOW THEREFORE on May 10, 2010 the undersigned Executive Officer of Alberta

Health Services declared the above-noted premises as **Unfit for Human Habitation**, and ordered that the occupant or occupants vacate the premises on or before May 10, 2010.

NOW TAKE NOTICE that the said Executive Officer hereby orders that you, the owner, do not permit occupancy of the above noted premises until authorized to do so by an Executive Officer of the said Authority.

AND FURTHER TAKE NOTICE that you are hereby ordered to either correct the aforementioned conditions to the satisfaction of the said Authority or to have the premises remain vacant.

*Be Advised:*

*The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies; you are advised that further repairs may be required to ensure full compliance of the Housing Regulation, or to prevent a Public Health Nuisance, prior to permitting reoccupancy.*

*Any building upgrades or modifications may be subject to municipality planning and development department reviews and the procuring of proper permits.*

DATED at Edmonton, Alberta, 12 May 2010.

\_\_\_\_\_(original signed)\_\_\_\_\_  
Chris Rolfe, CPHI(C)  
Executive Officer  
Environmental Health Officer

*You are advised that should this Executive Officer's Order not be complied with, prosecution will be considered for breach of the Public Health Act and the Regulations.*

**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 24<sup>th</sup> 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, its Regulations and associated Standards 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 & Wellness at (780) 427-4518.*