

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

To: Shane G. Botting
“the Owner”

Doreen S. Nicholson
“the Owner”

And To: All Occupant(s) of the following Housing premises: 11822 – 129 Avenue NW

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
11822 – 129 Avenue NW

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, in contravention of the Public Health Act and the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 namely:

- a. There was no water supply.
- b. The furnace was not working.
- c. There was evidence that people were sleeping in the secondary main floor bedroom and unfinished areas within the house. There was bedding (mattresses, blankets and pillows) and many personal items in the secondary main floor bedroom and in the basement. A Closed for Tenant Accommodation Order issued on September 24, 2025, was not being complied with.
- d. There were no smoke alarms installed.
- e. The main floor toilet was full of urine. There was a buildup of feces in the basement toilet. An odour of excrement existed in the premises.
- f. The kitchen sink basins were dirty; there was an accumulation of grime in the right basin and an inch of stagnant dirty water in the left basin.
- g. Used syringes were observed on the interior and exterior of the property.
- h. Demolition activity was evident in interior rooms. Ceiling, walls and flooring were partially removed leading to falling and unstable materials, tripping hazards and potential exposure to hazardous materials.

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

- a. There was no water supply. This contravenes section 3(1)(b)(iii) of the Housing Regulation, AR 173/99, which states that: Subject to subsection (3) and section 4, an owner shall ensure that the occupants of the housing premises are supplied with adequate running hot and cold water that is safe for human consumption.
- b. The furnace was not working. This contravenes section 3(1)(b)(ii) of the Housing Regulation, AR 173/99, which states that: Subject to subsection (3) and section 4, an owner shall ensure that the occupants of the housing premises are supplied with adequate heating facilities that are capable of maintaining a habitable indoor temperature, if the housing premises are used or intended for use during all or part of the period from September 1 in one year until May 1 in the following year.
- c. There was evidence that people were sleeping in the secondary main floor bedroom and unfinished areas within the house. A Closed for Tenant Accommodation Order issued on September 24, 2025, was not being complied with. The Public Health Act RSA 2000, section 73(1) states that: A person who contravenes this Act, the regulations, an order under section 62 or an order of a medical officer of health or physician under Part 3 is guilty of an offence.
- d. There were no smoke alarms installed. This contravenes section 12 of the Minimum Housing and Health Standards, 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. Smoke alarms shall be operational and in good repair at all times.
- e. The main floor toilet was full of urine. There was a buildup of feces in the basement toilet. An odour of excrement existed in the premises. This contravenes section 5(2) of the Housing Regulation, AR 173/99 which states that: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.
- f. The kitchen sink basins were dirty; there was an accumulation of grime in the right basin and an inch of stagnant dirty water in the left basin. This contravenes section 5(2) of the Housing Regulation, AR 173/99 which states that: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.
- g. Used syringes were observed on the interior and exterior of the property. This contravenes section 5(2) of the Housing Regulation, AR 173/99 which states that: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.
- h. Demolition activity was evident throughout the interior rooms. Ceiling, walls and flooring were partially removed leading to falling and unstable materials, tripping hazards and potential exposure to hazardous materials. This contravenes section 5(2) of the Housing Regulation, AR 173/99 which states that: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.
- i. The main floor and basement toilets, as well as the basement bathroom's hand sink and bathtub, were without water supply. This contravenes section 7(a) of the Minimum Housing and Health Standards, which states that: The washbasins and bathtub or shower shall be supplied with potable hot and cold running water.

- j. The majority of basement bathroom tiles were cracked. This contravenes section 5(a) of the Minimum Housing and Health Standards, 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. (a) 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. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.
- k. The main floor washroom ceiling and walls were removed; the wooden frame, studs and insulation were exposed. This contravenes section 5(a) of the Minimum Housing and Health Standards, which states that: 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. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.
- l. There was a toilet installed in the main floor washroom, but the hand sink was removed; plumbing lines were left opened. This contravenes section 7(b) of the Minimum Housing and Health Standards, which states that: The wash basin should be in the same room as the flush toilet or in close proximity to the door leading directly into the room containing the flush toilet. This also contravenes section 6(a) of the Minimum Housing and Health Standards which states that: 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.
- m. There was a gap in the main floor washroom wall frame under the window that opened directly to the exterior. This contravenes section 2(a) of the Minimum Housing and Health Standards, which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- n. The kitchen window was cracked across the pane. This contravenes section 2(b)(i) of the Minimum Housing and Health Standards, which states that: All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- o. Three windowpanes were missing from the secondary main floor bedroom window. The interior of the window was enclosed with plastic. This contravenes section 2(b)(i) of the Minimum Housing and Health Standards, which states that: All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- p. The half wall between the main floor living room and kitchen was an unfinished wood frame. This contravenes section 5(b) of the Minimum Housing and Health Standards, which states that: Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
- q. There was no handrail along the basement staircase. This contravenes section 3(c)(i) of the Minimum Housing and Health Standards, which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.
- r. The wooden treads of the front exterior staircase were soft and depressed when walked on. This contravenes section 3(c)(i) of the Minimum Housing and Health Standards, which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.

- s. The handrails on either side of the front exterior staircase were very loose. This contravenes section 3(c)(i) of the Minimum Housing and Health Standards, which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.
- t. Some electrical outlet covers and switch plates were missing. This contravenes section 11 of the Minimum Housing and Health Standards, 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.
- u. The deadbolt for the back exterior door was missing, leaving an open hole in the door. This contravenes section 2(b)(i) of the Minimum Housing and Health Standards, which states that: All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- v. There was no weatherproofing along the perimeter of the back exterior door. This contravenes section 2(b)(i) of the Minimum Housing and Health Standards, which states that: All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.

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 Owner(s) takes all steps necessary to ensure all Occupants vacate the above noted premises on or before **January 7, 2026**.
2. That the Owner(s) immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Reinstate the water supply. Ensure there is hot and cold running water at all kitchen and washroom fixtures.
 - b. Repair the furnace and ensure there is heat supplied to all habitable rooms, and capable of maintaining 22 degrees Celsius.
 - c. Comply with all Executive Officer's Orders.
 - d. Install smoke alarms in bedroom areas.
 - e. Ensure the toilets are in working order to properly dispose of sewage.
 - f. Thoroughly clean kitchen sink basins and properly dispose of grey water.
 - g. Safely dispose of used syringes.
 - h. Complete demolition and reconstruction so surfaces and electrical fixtures are safe, sound and in good repair. Follow the testing and remediation requirements of the Alberta Asbestos Abatement manual when disturbing building materials.
 - i. Repair or replace all missing and cracked windows. Ensure all windows and doors are weatherproof and equipped with effective locks.
 - j. Replace the cracked basement bathroom tile flooring with a floor covering that is smooth, non-absorbent to moisture and easy to clean. Ensure the wall-floor and bathtub-floor joints are watertight.
 - k. Ensure the main floor washroom is equipped with a hand sink.

- l. Finish the ceiling, walls and floor in the main floor washroom. Ensure the finishes are smooth, non-absorbent to moisture and easy to clean with watertight joints.
 - m. Repair the exterior cladding of the premises to ensure it is weatherproof; particularly the exterior wall of the main floor washroom.
 - n. Finish the half wall between the living room and kitchen. Finishes must be smooth, non-absorbent to moisture and easy to clean.
 - o. Install a handrail along the basement staircase that meets Alberta Building Code requirements.
 - p. Repair or replace the exterior front staircase and handrails so the staircase and handrails are sturdy and meet Alberta Building Code requirements.
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 Edmonton, Alberta, December 16, 2025.

Confirmation of a verbal order issued to Shane Botting on December 10, 2025, and Doreen Nicholson on December 15, 2025.

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.

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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<https://www.ahs.ca/eph>