

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

**To:** **Kenneth Dale Ellis**  
"the Owner"

**And To:** All Occupant(s) of the following Housing premises: 13453 - 101 Street NW

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
13453 - 101 Street 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. The house (west side of a duplex) was in a state of squalor. The floors, walls, surfaces and appliances were soiled with grime and debris. Rooms throughout the house were cluttered with items.
- b. There were continuous leaks from the basement ceiling wastewater plumbing line. There was an accumulation of wastewater on the basement floor that was saturating items in the basement including large cuts of folded carpet, upholstered furniture, clothing and garbage. There was a mouldy and musty odor in the basement.
- c. Portions of the basement wooden ceiling joists/ beams were water damaged.
- d. Multiple connected electrical cords and power bars were run along the wet basement floor.
- e. There was an infestation of flies throughout the house. The fly trap strips in every room were filled with flies.
- f. There was evidence that people were sleeping in cluttered and unfinished areas within the house. A Closed for Tenant Accommodation Order issued on July 10, 2025, was not being complied with.
- g. There were no operational smoke alarms installed.

**AND WHEREAS** such inspection disclosed that the following breaches of the of the Public Health Act, 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 house (west side of a duplex) was in a state of squalor. The floors, walls, surfaces and appliances were soiled with grime and debris. Rooms throughout the house were cluttered with items. 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.

- b. There were continuous leaks from the basement ceiling wastewater plumbing line. There was an accumulation of wastewater on the basement floor that was saturating items in the basement including large cuts of folded carpet, upholstered furniture, clothing and garbage. There was a mouldy and musty odor in the basement. This 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. And 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.
- c. Portions of the basement wooden ceiling joists/ beams were water damaged. This contravenes section 1(b) of the Minimum Housing and Health Standard, which states that: Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.
- d. Multiple connected electrical cords and power bars were run along the wet basement floor. 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.
- e. There was an infestation of flies throughout the house. The fly trap strips in every room were filled with flies. This contravenes section 16(a) of the Minimum Housing and Health Standards, which states that: The owner shall ensure that the housing premises are free of insect and rodent infestations.
- f. There was evidence that people were sleeping in cluttered and unfinished areas within the house. A Closed for Tenant Accommodation Order issued on July 10, 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.
- g. There were no operational 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.  
(a) Smoke alarms shall be operational and in good repair at all times.
- h. There was one bathroom in the house: The bathroom shower walls were partially dismantled and unfinished. This contravenes section 5(a) of the Minimum Housing and Health Standards, which states that: (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.
- i. The shower knobs and one sink knob were missing. 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. Bathroom finishes were in disrepair including:
  - a. A large section of the bathroom wall was missing behind the cabinet.
  - b. The bathroom ceiling paint finish was significantly worn, moisture droplet stained and cracked.

- c. There was no floor covering in the bathroom; the wooden subfloor was exposed throughout.

This contravenes section 5(a) of the Minimum Housing and Health Standards, which states that: (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. There was no floor covering in the kitchen. The wooden subfloor was exposed throughout. This contravenes section 5(a) 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.

**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 **September 10, 2025**.
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. Remove the clutter and waste throughout the entire property.
  - b. Assess the basement and bathroom for the source(s) of water infiltration and leaks. Properly repair all deficiencies to stop water infiltration and leaks.
  - c. Retain the services of a remediation company to remove and replace or clean, as required, any and all basement building materials, and finishing materials, or any other item that is or may be water damaged, mould affected or otherwise contaminated. All water and/or mould affected paneling, drywall, vapour barrier and insulation throughout the entire basement, including ceilings, must be removed and disposed of. All wood framing throughout the basement must be assessed and disposed of if it cannot be adequately cleaned. Thoroughly wash all concrete basement walls and floors with detergent and water and quickly dry.
  - d. Eliminate the pest infestation(s).
  - e. Remove all broken and damaged building materials and fixtures in the bathroom and reconstruct with new building materials and fixtures so the bathroom is fully operational. Ensure hot and cold running water are available with adequate pressure at the hand sink and in the shower.
  - f. Install smooth, non-absorbent and easy to clean floor coverings in the bathroom and kitchen that form sealed joints with baseboards/walls.
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, September 17, 2025.

Confirmation of a verbal order issued to Kenneth Dale Ellis on September 3, 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](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 King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

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**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>