

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

To: Civida
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
335 Abbottsfield Road 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, namely:

Deficiencies resulting from basement fire on December 22, 2021:

- a. The furnace was not functional. Several components of the furnace were fire damaged, warped and/or melted.
- b. The primary source of heat for the building was two portable space heaters running on limited power.
- c. The temperature in the building was 15.7C, which is too cold.
- d. Electrical wire insulation was fire damaged and had partially melted off the electrical wiring in the basement ceiling.
- e. The blackened remains of a bedframe and box spring were located in the basement and the basement had been used as a bedroom. There were no windows in the basement for emergency egress.
- f. There was a strong smoke odor indicating poor indoor air quality and a layer of soot on surfaces throughout the building.
- g. There was no running water in the building.

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. Item [a] and [c] are in contravention of section IV(8)(a)(i) of the Minimum Housing and Health Standards which states: All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of ; (i) at least 220C(710F), or (i) maintained at a temperature of at least

220C(710F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.

- b. Item [b] is in contravention of section IV(8)(c) of the Minimum Housing and Health Standards which states: Cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room.
- c. Item [d] is in contravention of section IV(11) of the Minimum Housing and Health Standards which states: 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.
- d. Item [e] is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states: For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge.
- e. Item [f] is in contravention of section 5(2) of the Housing Regulation that states: 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. Item [g] is in contravention of section IV(8)(d) of the Minimum Housing and Health Standards which states: Every owner must ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant.

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 December 24, 2021.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Have a qualified Plumbing & Heating professional inspect the furnace and conduct any necessary repairs. **Provide documentation to this office.**
 - b. Ensure cooking appliances and portable space heaters are not the primary source of heat for the building.
 - c. Have a qualified Electrician inspect the damaged electrical wiring in the basement and conduct any necessary repairs. Ensure all electrical outlets, switches and fixtures are properly installed and in a good and safe working condition. **Provide documentation to this office.**
 - d. Do not use the basement as a bedroom because there is no window or door available for emergency egress.
 - e. Ventilate and clean all smoke damaged surfaces in the building
 - f. Restore the water utilities at the property. Ensure that there is a continuous supply of electricity, water, and heat.

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, January 4, 2022

Confirmation of a verbal order issued to Johanna Stauffer and Steven Lerner on December 24, 2021

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 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.

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 at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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RE: The premises located in Edmonton, Alberta and municipally described as: 335 Abbottsfield Road NW

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