

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

To: Ross Atley
"the Owner"

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

RE: Those housing premises located in Parkland County, Alberta and municipally described as: 51116B Highway 60.

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:

- a. The front porch was missing a guardrail on the edge of the porch. The porch is elevated 5 steps (approximately 4 feet) above the ground.
- b. The exterior steps leading to the porch did not have a handrail (5 steps).
- c. The interior stairs leading to the second floor of the suite did not have a handrail (approximately 12-14 steps).
- d. The suite is connected to a private sewage disposal system that is non-functional and in disrepair.
- e. The main floor toilet was not functioning with near overflowing black water.
- f. There was no water available at any of the plumbing fixtures in the suite.
- g. The two piece bathroom on the main floor was not equipped with natural or mechanical ventilation (no fan or window).
- h. The furnace was not in operation at the time of inspection. The ambient air temperature on the main floor was 12-15 deg C at the time of inspection. The ambient air temperature on the second floor was 16 deg C at the time of inspection.
- i. Electric space heaters were the only source of heat in use at the time of inspection.
- j. There was no heat from the furnace and no water in the suite at the time of inspection.

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. The front porch was missing a guardrail on the edge of the porch. The porch is elevated 5 steps (approximately 4 feet) above the ground. This is in contravention of 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.”
- b. The exterior steps leading to the porch did not have a handrail (5 steps). This is in contravention of 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.”
 - c. The interior stairs leading to the second floor of the suite did not have a handrail (approximately 12-14 steps). This is in contravention of 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.”
 - d. The suite is connected to a private sewage disposal system that is non-functional and in disrepair. This is in contravention of 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, pump out sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.”
 - e. The main floor toilet was not functioning with near overflowing black water. This is in contravention of 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, pump out sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.”
 - f. There was no water available at any of the plumbing fixtures in the suite. This is in contravention of section 6 (b) of the Minimum Housing and Health Standards which states that: “Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures.” This is also in contravention of section 9 of the Minimum Housing and Health Standards which states that: “Every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.”
 - g. The two piece bathroom on the main floor was not equipped with natural or mechanical ventilation (no fan or window). This is in contravention of section 7 (c) of the Minimum Housing and Health Standards which states that: “All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.”
 - h. The furnace was not in operation at the time of inspection. The ambient air temperature on the main floor was 12-15 deg C at the time of inspection. The ambient air temperature on the second floor was 16 deg C at the time of inspection. This is in contravention of section 8 (a) of the Minimum Housing and Health Standards which states that: “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 22 deg C (71 deg F).”
 - i. Electric space heaters were the only source of heat in use at the time of inspection. This is in contravention of section 8 (c) of the Minimum Housing and Health Standards which states that: “Cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room.”
 - j. There was no heat from the furnace and no water in the suite at the time of inspection. This is in contravention of section 8 (d) of the Minimum Housing and Health Standards which

states that: “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 Monday March 26, 2018.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install a guardrail compliant with the Alberta Building Code on the front porch.
 - b. Install a handrail compliant with the Alberta Building Code on the exterior steps to the porch.
 - c. Install a handrail compliant with the Alberta Building Code on the interior stairs to the second floor.
 - d. Maintain the sewage system in proper operating condition.
 - e. Maintain the plumbing fixtures in proper operating condition.
 - f. Provide a supply of potable water to the suite to serve the needs of the inhabitants.
 - g. Install adequate ventilation in the main floor bathroom.
 - h. Supply adequate heat to the suite.
 - i. Provide the suite with an approved heating appliance.
 - j. Provide all required utilities to the suite, or provide proof the utilities are the sole responsibility of the occupant.
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 Spruce Grove, Alberta, March 20 2018.

Confirmation of a verbal order issued to Ross Atley on March 19 2018.

_____ (Original Signed) _____

Karah Harvey, CPHI(C)
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, Telus Plaza North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <http://www.health.alberta.ca/about/PHAB.html>

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: www.health.alberta.ca/about/health-legislation.html

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www.albertahealthservices.ca/eph.asp