

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

To: Dennis Mezzo
"the Owner"

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

RE: Those housing premises located in Yellowhead County, Alberta and municipally described as:
53422 Highway 22
All that portion of the North East Quarter of Section 28, Township 53, Range 8, West of the Fifth Meridian, Described as follows: Commencing at a point on the east boundary of the said quarter section 710 feet northerly from the south east corner thereof, thence south along the said east boundary 143.13 feet, thence westerly and parallel to the south boundary of the said quarter section 198 feet, thence northerly and parallel to the said east boundary 143.13 feet, thence easterly in a straight line to the point of commencement, containing 0.263 hectares, more or less.

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. There was moisture detected in the basement along the south wall. High levels of moisture were detected using a moisture meter.
- b. There were water damaged materials along the south wall of the basement (including affected carpet and drywall).
- c. There is evidence the private sewage system appears to be failing with an accumulation of water on the ground around the septic tank located in close proximity to the house.
- d. The drinking water supply is non-potable. The bacteriological drinking water sample submitted from the premise on February 5, 2018 was unsatisfactory (total coliforms present, E. coli present).
- e. The two piece washroom on the main floor did not have an openable window or mechanical ventilation.
- f. There was no smoke alarm present on the second floor outside the bedrooms.

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. There was moisture detected in the basement along the south wall. High levels of moisture were detected using a moisture meter. This is in contravention of section 1 (b) of the Minimum Housing and Health Standards which states that, "(b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration or accumulation.
- b. There were water damaged materials along the south wall of the basement (including affected carpet and drywall). This is in contravention of section 1 (c) of the Minimum Housing and Health Standards which states that, "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- c. There is evidence the private sewage system appears to be failing with an accumulation of water on the ground around the septic tank located in close proximity to the house. This is in contravention of section 6 (a) of the Minimum Housing and Health Standards which states that, "The plumbing system and 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."
- d. The drinking water supply is non-potable. The bacteriological drinking water sample submitted from the premise on February 5, 2018 was unsatisfactory (total coliforms present, E. coli present). This is 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. This is also in contravention of section 3 (1) (b) (iii) of the Housing Regulation which states that, "An owner shall ensure that the occupants of the housing premise are supplied with adequate running hot and cold water that is safe for human consumption."
- e. The two piece washroom on the main floor did not have an openable window or mechanical ventilation. This is in contravention to 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."
- f. There was no smoke alarm present on the second floor outside the bedrooms. This is in contravention to 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."

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 May 1, 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. Ensure the basement is maintained in good repair and free from water infiltration or accumulation.
 - b. Remove and replace water damaged building materials.

- c. Investigate and repair/replace the private sewage disposal system to ensure it is in proper operating condition. This includes procuring the proper plumbing permits if deemed necessary.
 - d. Ensure there is an adequate and reliable potable water supply.
 - e. Install natural or mechanical ventilation in the two piece washroom.
 - f. Install a smoke alarm in the hallway between the second floor bedrooms.
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, April 16 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

Copy Yellowhead County & Municipal Affairs

Spruce Grove • Stan Woloshyn Building • Environmental Public Health

205 Diamond Avenue Spruce Grove, Alberta, Canada T7X 3A8

www.albertahealthservices.ca/eph.asp