

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

**To:** Blair Verbin, &  
Shaniel Sewak  
“the Owners”

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

**RE:** Those housing premises located in Sturgeon County, Alberta and municipally described as: 57525 Range Road 255 – Garage.

**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 is no heat source provided. Evidence such as a mattress, bedding, personal mail, and clothing, etc., of people residing in the upper level of the detached garage on the property are present.
- b. There is no potable running water provided.
- c. The premises is not connected to a plumbing system.
- d. There is no smoke alarm installed in the premises.
- e. Handrails are not present on the staircase leading to the premises.
- f. Walls, ceiling and floor finishes are not provided. The ceiling and walls are framed with wood and the flooring is unfinished plywood.
- g. The structure is framed, and there is no insulation or drywall provided.
- h. There are no food preparation facilities. A toaster and a microwave are present along with cooking utensils.
- i. There are no washroom facilities provided.
- j. The structural integrity of the premises is not safe. The exterior wall of structure moves when pushed.
- k. There are no electrical services provided.

**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:

- l. There is no heat source provided. Evidence such as a mattress, bedding, personal mail, and clothing, etc., of people residing in the upper level of the detached garage on the property are present. This is in contravention of Section 8(a) 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 22 degrees C(71 degrees F), or (i) maintained at a temperature of at least 22 degrees C(71 degrees F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant**”.

- a. There is no potable running water provided. This is in contravention of Section 9 of the Minimum Housing and Health Standards, which states, “**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. (a) All hot running water shall be maintained at a temperature of not less than 46 degrees C (114 degrees F), and not more than 60 degrees C (140 degrees F) measured at the plumbing fixture**”.
- b. The premises is not connected to a plumbing system. This is in contravention of Section 6 of the Minimum Housing and Health Standards, which states, “**Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. (a) 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. (b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside**”.
- c. There is no smoke alarm installed in the premises. This is in contravention of Section 12 of the Minimum Housing and Health Standards, which states, “**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.**”
- d. Handrails are not present on the staircase leading to the premises. This is in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards, which states, “**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**”.
- e. Walls, ceiling and floor finishes are not provided. The ceiling and walls are framed with wood and the flooring is unfinished plywood. This is in contravention of Section 5 of the Minimum Housing and Health Standards, which states, “**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. (b) 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**”.
- f. The structure is framed, and there is no insulation or drywall provided. This is in contravention of Section 2(a) of the Minimum Housing and Health Standards, which states,

***“The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition”.***

- g. There are no food preparation facilities. A toaster and a microwave are present along with cooking utensils. This is in contravention of Section 14(a) of the Minimum Housing and Health Standards, which states, ***“Every housing premises shall be provided with a food preparation area, which includes: (i) a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation; and (ii) cupboards or other facilities suitable for the storage of food; and (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; and (iv) a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. (40 degrees F)”.***
- h. There are no washroom facilities provided. This is in contravention of Section 7(a)(b)(c) of the Minimum Housing and Health Standards, which states, ***“Except where exempt by regulation, every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower. (a) The washbasins and bathtub or shower shall be supplied with potable hot and cold running water. (b) 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. (c) All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation”.***
- m. The structural integrity of the premises is not safe. The exterior wall of structure moves when pushed. This is in contravention of Section 1(a) of the Minimum Housing and Health Standards, which states, ***“The housing premises shall be structurally sound”.***
- i. There are no electrical services provided. This is in contravention of Section 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”.***

**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 August 26, 2024.
- 2. That the Owners immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Cease all habitation of the garage until the premises are deemed habitable according to the Housing Regulation and the Minimum Housing and Health Standards with any necessary work and/or construction completed in accordance with applicable Safety Codes.
- 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 St. Albert, Alberta, August 26, 2024

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>.

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>

Copy: Sturgeon County  
RCMP  
ATB Bank