

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

To: Rita Biard Jaqueline Biard
 "the Owner" "the Owner" (agent)

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
606 Bevington Place 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:

- a. The premises was heavily infested with mice. The following was observed:
 - There was a dead mouse on the glue trap in the main floor hallway.
 - There was a dead mouse in the basement on the floor near the furnace.
- b. There was an extensive amount of mouse droppings and urine observed throughout the premises. Droppings and urine were observed:
 - On the flooring throughout the premises
 - On the stove in the kitchen
 - Inside kitchen cupboards and cabinets
 - Inside the kitchen pantry on the floor and on shelves
 - Inside the second level bathroom cabinet
 - Inside the ensuite bathroom cabinet
 - On top of the ensuite bathroom counter top
 - Inside the furnace room.
- c. The premises was found in an unsanitary condition. The following was observed:
 - The floors throughout the premises were covered in dirt and other debris.
 - The stairs to the basement were covered in dirt and debris.
 - There was garbage and pieces of drywall scattered throughout the premises.
 - The wall in the second level northeast bedroom was covered in dried egg.
 - There was garbage piled on the floor in the ensuite bathroom and piled on top of the bathtub.
 - There was garbage piled on the floor in the master bedroom.
- d. There was an extensive amount of items and garbage bags cluttered throughout the premises. Items were stored in an unsafe manner and the conditions provided potential harbourage for pests, prevented easy navigation through and into some of the rooms and there was a risk of items falling. These conditions were noted in the front living room, the

- main floor bedroom, the dining room, the back living room, the second level hallway, the second level southwest bedroom, the master bedroom and the ensuite bathroom.
- e. Floor coverings were missing or in disrepair throughout the premises. This included:
- The floor covering on the stairs to the second level had been removed.
 - There was no transition strip between the hallway and the laundry room on the second level.
 - There were large gaps between the floor boards in the second level bedrooms and in the hallway.
 - The vent covers were missing in the second level northeast bedroom.
 - The ensuite bathroom floor covering was lifted and peeling.
 - The baseboards were missing in the master bedroom and in the ensuite bathroom.
 - The baseboards were missing in the second floor bathroom and in the main floor hallway.
- f. There were holes in the walls and ceiling throughout the premises including but not limited to:
- There were holes in the kitchen wall.
 - There was a large hole in the dining room ceiling.
 - There was a section of the ceiling missing in the main floor bathroom.
 - There were several holes in the wall adjacent to the second floor staircase.
 - There were two large holes in the wall and additional holes near the floor in the second floor bathroom.
 - There was a large section of the wall missing in the northeast second floor bedroom.
 - There were numerous sections of ceiling and wall material in the basement which was missing or had been removed.
- g. The door to the master bedroom and the northeast bedroom on the second level were in disrepair. The master bedroom door had two large holes and was off the hinges. The northeast bedroom door was cracked and was being held together with tape.
- h. Several window panes throughout the premises were broken. This included:
- The front living room window pane was broken.
 - The second level southwest bedroom window pane was broken.
 - The master bedroom and the ensuite bathroom windows were broken.
- i. The smoke alarm was missing outside the main floor bedroom.
- j. The smoke alarm on the second level appeared greater than 10 years old and did not work when tested.
- k. The stove top was dismantled and the stove was unplugged in the kitchen.
- l. The counter top next to the stove was missing.
- m. Numerous kitchen cabinet and cupboard doors and drawers were in disrepair or missing.
- n. The electrical outlet next to the kitchen window did not appear to be in a safe working condition. One of the wires sticking out of the outlet was not capped, there was no cover plate, and one of the sockets had burn marks around it.
- o. Many light fixtures had been removed in the back living room and hallway.
- p. Electrical cover plates were missing throughout the premise including but not limited to: in the kitchen, in the main floor bedroom, in the main floor hallway, the second floor bathroom and in the basement.
- q. The toilet in the ensuite bathroom was clogged and not functional.
- r. The tempered glass door in the ensuite bathroom shower had been shattered. Pieces of glass were all over the bathroom floor.

- s. The mirror in the ensuite bathroom had been shattered. Shards of broken mirror were on the bathroom counter and floor.
- t. The ventilation fan cover was missing in the second floor bathroom.
- u. The bathroom cabinet door and part of the cabinet drawer were missing in the second floor bathroom.

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. Violation [a] was in contravention of section 16(a) of the Minimum Housing and Health Standards that states: “The owner shall ensure that the housing premises are free of insect and rodent infestations”.
- b. Violations [b] and [c] were in contravention of section 16 of the Minimum Housing and Health Standards that states: “The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition”.
- c. Violation [d] was in contravention of section 5(3) 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”.
- d. Violations [e], [f], and [g] were in contravention of section 5 of the Minimum Housing and Health Standards that 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”.
- e. Violation [h] was in contravention of section 2(b)(i) of the Minimum Housing and Health Standards that states: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof”.
- f. Violations [i] and [j] were in contravention of section 12 of the Minimum Housing and Health Standards that 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”.
- g. Violation [k] was in contravention of section 14(a)(iv) of the Minimum Housing and Health Standards that states: “Every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and proper operating condition”.
- h. Violation [l] was in contravention of section 14(a)(iii) of the Minimum Housing and Health Standards that states: “Every housing premises shall be provided with a food preparation area, which includes: a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned”.
- i. Violation [m] was in contravention of section 14(a)(ii) of the Minimum Housing and Health Standards that states: “Every housing premises shall be provided with a food preparation area, which includes: cupboards or other facilities suitable for the storage of food.”
- j. Violations [n], [o] and [p] were in contravention of section 11 of the Minimum Housing and Health Standards that 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”.
- k. Violation [q] was in contravention of section 6(c) of the Minimum Housing and Health Standards that that states: “All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”

- i. Violations [r], [s], [t], and [u] were in contravention of section 1(c) of the Minimum Housing and Health Standards that states: “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced”.

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 February 25, 2019.
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 premises is properly secured to prevent unauthorized access.
 - b. Ensure that the premises is free of mouse infestations. Hire a certified pest control company to conduct pest control at the premises. All situations requiring the application of pesticides must be applied in accordance with the Environmental Protection and Enhancement Act and regulation. A copy of the pest control report must be submitted to Environmental Public Health.
 - c. Remove and clean-up all mouse droppings and urine. It is highly recommended that a qualified individual conduct the clean-up so that it is conducted in a safe manner. See link for further information on pest management and safe clean-up: <https://myhealth.alberta.ca/alberta/pages/Pests-house-mouse.aspx>
 - d. Remove all garbage and debris from the home.
 - e. Reduce and/or organize the amount of items stored in the home to limit pest harborouge and the risk of items falling.
 - f. Repair all damaged walls, ceilings and floors so they are in good repair and in a condition that renders them easy to clean.
 - g. Repair all damaged doors so that they are in good repair.
 - h. Repair or replace all broken window panes so that they are in good repair, free of cracks, and weatherproof.
 - i. Replace smoke alarms so that they are in proper operating condition and located in between sleeping areas and the rest of the dwelling. Ensure smoke alarms are in good operation at all times.
 - j. Repair or replace the stove so that it is in a safe and proper operating condition.
 - k. Replace the missing counter top in the kitchen next to the stove. Ensure the surfaces is in good repair and finished in a material that is non-absorbent to moisture and can be easily clean.
 - l. Repair or replace all missing and damaged kitchen cabinet doors and drawers.
 - m. Have a qualified electrician assess the electrical system throughout the premises and conduct all necessary repairs. A copy of the electrician’s report must be supplied to Environmental Public Health.
 - n. Replace or repair all missing electrical cover plates and light fixtures so that they are maintained in good and safe working condition.
 - o. Repair or replace the toilet in the ensuite bathroom. Ensure all plumbing and fixtures are in good repair and free of leaks.
 - p. Repair or replace the shower door in the ensuite bathroom.
 - q. Remove glass pieces and other hazards accumulating on the floor in the master bedroom and ensuite bathroom.

- r. Replace the fan cover in the upstairs bathroom. Ensure the bathroom ventilation is good working order.
 - s. Repair or replace all missing and damaged bathroom cabinet doors and drawers. Ensure surfaces are in good repair and finished in a material that is smooth, non-absorbent to moisture and easy to clean.
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, February 5, 2019

____(Original Signed)____
Leah Danyluk, CPHI(C)
Executive Officer
Alberta Health Services

____(Original Signed)____
Rebecca Johnson, 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, 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: <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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