

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

To: Peace River School Division No. 10
"the Owner"

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

RE: Those housing premises located in Dixonville, Alberta and municipally described as:
8a and 8b 1st Avenue.

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, in contravention of the Public Health Act and the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 namely:

- a. Building materials in unit 8a containing mold and asbestos were disturbed without appropriate containment measures in place.
- b. Water damage noted on the floor and subfloor in the kitchen in unit 8a, around the living room window in unit 8a, and the support beams in the crawl space.
- c. The foundation has bulging on the 3 sides of the home.
- d. The floor on the northwest corner of the kitchen of unit 8a moves significantly when stepped on. Sloping of the floor was noted in the laundry room of unit 8b on the northeast corner.
- e. Water intrusion noted in the crawlspace.
- f. Mold-like substance and water damage noted on the insulation within the kitchen wall in unit 8a, on the kitchen subfloor of unit 8a and on the beams in the crawlspace.
- g. The front door of unit 8a is in disrepair.
- h. The concrete walkways around the home are in disrepair.
- i. There appears to be asbestos containing vermiculite on the floor around the furnace in Unit 8b.
- j. Light covers are missing in Unit 8b.

AND WHEREAS such inspection disclosed that the following breaches of the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. Building materials in unit 8a containing mold and asbestos were disturbed prior to appropriate containment measures in place. This is in contravention of section 5(2) of the Alberta Housing Regulation 173/99 which states that “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.”
- b. Water damage noted on the floor and subfloor in the kitchen in unit 8a, around the living room window in unit 8a, and the support beams in the crawl space. 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. The foundation has bulging on 3 sides of the home. This is in contravention of section 1(a) of the Minimum Housing and Health Standards which states that “the housing premises shall be structurally sound”.
- d. The floor on the northwest corner of the kitchen of unit 8a moves significantly when stepped on. Sloping of the floor was noted in the laundry room of unit 8b on the northeast corner. This is in contravention of section 1(a) of the Minimum Housing and Health Standards which states that “the housing premises shall be structurally sound”
- e. Water intrusion noted in the crawlspace. This is in contravention of section 1(b) of the Minimum Housing and Health Standards which states that “basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation”.
- f. Mold-like substance and water damage noted on the insulation within the kitchen wall in unit 8a, on the kitchen subfloor of unit 8a and on the beams in the crawlspace. This is in contravention of section 5(2) of the Alberta Housing Regulation 173/99 which states that “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.”
- g. The front door of unit 8a is in disrepair. This is in contravention of section 2(b) (i) of the Minimum Housing and Health Standards which states that “all windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof”.
- h. The concrete walkways around the home are in disrepair. This is in contravention of section 3 (a) (ii and iii) of the Alberta Housing Regulation 173/99 which states that “subject to subsection (3) and section 4, an owner shall ensure that (a) the housing premises are (i) (ii) in a safe condition, (iii) in good repair”.
- i. There appears to be asbestos containing vermiculite on the floor around the furnace in Unit 8b. This is in contravention of section 5(2) of the Alberta Housing Regulation 173/99 which

states that “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.”

- j. Light covers are missing in Unit 8b. This is in contravention of Section 11 of the Minimum Housing and Health Standards which state “that 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 Owner(s) takes all steps necessary to ensure all Occupants vacate the above noted premises on or before January 15, 2025.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Following the completion of all work, both units must be cleaned throughout to remove any potential contamination from mold spores or asbestos.
 - b. Any mold and/or asbestos testing results that have been completed must be provided to the executive officer.
 - c. The premises, including the crawlspace, must be assessed by a mold remediation technician before removal of water damaged building materials.
 - d. Remove all water damaged building materials within the premises in accordance with the recommendations of the mold remediation technician. Provide photos of work to the executive officer before final repair.
 - e. The foundation must be assessed by a Safety Codes Officer (Building Discipline) or structural engineer, and a copy of that assessment must be forwarded to the executive officer.
 - f. Conduct repairs to the foundation and structural components of the home in adherence to the above-mentioned structural engineer’s or Safety Codes Officer’s recommendations.
 - g. Identify and repair the source of water intrusion within the crawlspace.
 - h. Prior to repairing the kitchen wall, provide photos, with damaged materials removed, to the executive officer.
 - i. Repair the front door.
 - j. Repair the concrete walkways around the home.
 - k. Replace any missing light covers.
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 Peace River, Alberta, February 26, 2025

Confirmation of a verbal order issued to Troy Stucklschwaiger on January 15, 2025.

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 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>

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