

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

**To:** Ken and Sally Jang

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

**RE:** 607 – 5 Street South  
Lethbridge, AB  
Plan 546S Lot 17 & 18

**WHEREAS I**, an **Executive Officer** of **Alberta Health Services**, have inspected the above 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 the prevention or suppression of disease, namely:

- a. All the windows in the home were broken and damaged and unable to be secured.
- b. The front door to the home could not be secured.
- c. The floors and walls in the upstairs washroom were in disrepair.
- d. Walls, floors and ceilings throughout the house were worn and damaged.
- e. Unsanitary conditions were noted throughout the home including accumulated garbage, fecal material, spoiled food and drug paraphernalia.
- f. Mouse infestation was noted in the basement.
- g. There was no handrail for the stairs to the basement. The stairs were steep and worn.

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act and the Regulations there under exist in and about the above noted premises, namely:

- a. **Housing Regulation AR 173/99 s3**  
All the windows in the home were broken and damaged which is in contravention of section 3(1)(a)(iv) of the Housing Regulation which states that: an owner shall ensure that the housing premises are maintained in a waterproof, windproof, and weatherproof condition.
- b. **Housing Regulation AR 173/99 s4**  
The front door to the home could not be secured which is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
- c. **Housing Regulation AR 173/99 s4**  
The floors and walls in the upstairs washroom were in disrepair which is in contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: 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.

d. **Housing Regulation AR 173/99 s4**

Walls, floors and ceilings throughout the house were worn and damaged which is in contravention of section III(5) of the Minimum Housing and Health Standards which states that: 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. **Housing Regulation AR 173/99 s5**

Unsanitary conditions were noted throughout the home including accumulated garbage, fecal material, spoiled food and drug paraphernalia which is in contravention of section 5(2) of the Housing Regulation 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.

f. **Housing Regulation AR 173/99 s4**

Mouse infestation was noted in the basement which is in contravention of section V(16)(a) of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises are free of insect and rodent infestations.

g. **Housing Regulation AR 173/99 s4**

There was no handrail for the stairs to the basement. The stairs were steep and worn which is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.

**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**:

- a. That the occupants vacate the above noted premises on or before July 18, 2012.
- b. That the owners bring the house up to the standards outlined in the Minimum Housing and Health Standards before this Order will be lifted.
- c. 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 Lethbridge, Alberta, July 25, 2012.



Jenny Andrews, BSc., BEH(AD), CPHI(C)  
Executive Officer  
Environmental Health Officer

### 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 within ten (10) days after receiving the order to the Public Health Appeal Board located at 24<sup>th</sup> Floor, Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta, T5J 1S6. Telephone (780) 427-2813.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at (780) 342-0122, or the Public Health Appeal Board (780) 427-2813.

You are advised that all orders remain in effect pending such an appeal

### 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](http://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](http://www.qp.gov.ab.ca).*

*Copies of standards are available by contacting the Health Protection Branch of Alberta Health & Wellness at (780) 427-4518, or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)*

Confirmation of an oral order issued to Sally Jang, at 4pm, July 18, 2012.

Cardston  
Community Health  
Box 1590  
Cardston, AB T0K 0K0  
Phone: 403-653-5231  
Fax: 403-653-2926

Lethbridge  
Community Health  
801 - 1 Avenue South  
Lethbridge, AB T1J 4L5  
Phone: 403-388-6689  
Fax: 403-328-5934

Brooks  
Community Health  
220 - 4 Avenue West  
Brooks, AB T1R 0E9  
Phone: 403-362-2682  
Fax: 403-793-2772

Coaldale  
Community Health  
Box 1000  
Coaldale, AB T1M 1M8  
Phone: 403-345-3000  
Fax: 403-345-2043

Pincher Creek  
Community Health  
Box 1685  
Pincher Creek, AB T0K 1W0  
Phone: 403-627-1230  
Fax: 403-627-5275

Medicine Hat  
Community Health  
River Heights Professional Centre  
Suite 200, 88 Valleyview Dr. SW  
Medicine Hat, AB T1A 8N6  
Phone: 403-502-8205  
Fax: 403-502-8256

Crowsnest Pass  
Community Health  
Box 67  
Blairmore, AB T0K 0E0  
Phone: 403-562-5030  
Fax: 403-562-7379

Raymond  
Community Health  
Box 251  
Raymond, AB T0K 2S0  
Phone: 403-752-5430  
Fax: 403-752-4655

Fort Macleod  
Community Health  
Box 520  
Fort MacLeod, AB T0L 0Z0  
Phone: 403-553-5363  
Fax: 403-553-2333

Taber  
Community Health  
5009 - 56 Street  
Taber, AB T1G 1M8  
Phone: 403-223-4403  
Fax: 403-223-8733