

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

**To:** Sau Chun Law  
"the owner"

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

**RE:** Those housing premises located in Pincher Creek, Alberta and municipally described as:  
962 Maple Street.

**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. Roof leaks
- b. Severe water damage and mold growth to the interior of the premise.
- c. Gross unsanitary conditions.
- d. Exterior windows are broken and/or missing.
- e. Premises is not secured and as a result, interior and associated property is being used by squatters.

**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. Roof leaks, which is in contravention of section III(2)(a) of the Minimum Housing and Health Standards which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- b. Severe water damage and mold growth to the interior of the premise, which is in contravention of section 3(1)(a)(ii) of the Housing Regulation which states that: an owner shall ensure that the housing premises are in a safe condition.
- c. Severe water damage and mold growth to the interior of the premise , which is in contravention of section III(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
- d. A gross unsanitary condition present, 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.

- e. Exterior windows are broken and/or missing, which is in contravention of section III(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.
- f. Premises is not secured and as a result, interior and associated property is being used by squatters, which is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states exterior windows and doors shall be capable of being secure.

**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 November 6, 2014.
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 all water damaged and moldy materials are removed and replaced. Once this is complete, mold testing must be conducted by a professional mold remediation company and the results submitted to this office.
  - b. Ensure all sanitation and hoarding issues are addressed and meet public health requirements.
  - c. Ensure access of the property to squatters is prevented and prohibited.
  - d. All exterior windows must be replaced.
  - e. Ensure the roof is repaired so it is windproof, waterproof and weatherproof.
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 Pincher Creek, Alberta, November 6, 2014

Confirmation of a verbal order issued to Sau Chun Law (by telephone voicemail), on November 6, 2014.

Michael Swystun, 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 within ten (10) days after receiving the order to the Public Health Appeal Board located at Reception, Main Floor. Telus Plaza, 10025 Jasper Avenue, Edmonton, Alberta, T5J 1S6, Telephone 780-427-2813 Fax 780-422-0914.

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).*

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*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](http://www.health.alberta.ca/about/health-legislation.html)*

Copy: RCMP, Town of Pincher Creek

Order of an Executive Officer – Unfit for Human Habitation - Order to Vacate

RE: The premises located in Pincher Creek, Alberta and municipally described as: 962 Maple Street

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Pincher Creek • South Zone • Environmental Public Health

1222 Bev McLachlin Drive, Pincher Creek, Alberta T0K 1W0

[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)