

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

To: Douglas Tollestrup
"the Owner"

And To: All Occupants of the following Housing premises:

RE: Those housing premises located in Raymond, Alberta and municipally described as:
105 Broadway S.

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 was a leak under the bathroom sink.
- b. The toilet did not have an appropriate tank lid.
- c. The tub faucet did not have a handle.
- d. Significant and numerous finishing issues were noted throughout the entire premises, including but not limited to:
 - i) The flooring throughout the entire main floor was not completed. There were large sections in most rooms without any floor coverings.
 - ii) The kitchen ceiling had a large hole in it and the bathroom ceiling had a large portion without any finishes, exposing bare wood with nails sticking out.
 - iii) The wall finishes in the bathroom were either in poor condition, incomplete, unsealed or missing entirely.
 - iv) The bathroom door was in disrepair.
- e. There were numerous missing electrical outlet covers and switch plates. There were electrical outlet boxes with exposed wires, and there were electrical outlets that were not properly installed.
- f. The top floor guardrail providing protection for the stairwell was incomplete, with sections of the railing and balusters not installed. As well, the stairwell itself lacked a proper railing down the length of the stairs.

- g. The entire home was in a dangerously poor sanitary condition. The basement floor was covered in mouse droppings and broken glass. The basement was very cluttered, making it difficult to access some rooms. The entire main floor was covered in construction debris such as nails, screws, wooden splinters, saw dust, etc.
- h. There were no operational/functioning smoke alarms in the premises.
- i. The kitchen cabinets were in poor condition. Cupboard doors were broken off the cabinets.
- j. The roof of the home was in poor condition. There appeared to be a hole in the roof covered a sheet of wood sheathing. The edges of the roof were very damaged and falling apart.
- k. There were people living in a tent in the back yard.
- l. The shed in the back of the yard had been used as a shelter for people to sleep. The shed was full of mouldy insulation.
- m. The backyard was full of debris (garbage, luggage, broken vehicles, construction debris and piles of wires).

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. There was a leak under the bathroom sink, which is in contravention of section IV(6)(a) of the Minimum Housing and Health Standards which states that: 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. The toilet did not have an appropriate tank lid, which is in contravention of section IV(6)(a) of the Minimum Housing and Health Standards which states that: 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.
- c. The tub faucet did not have a handle, which is in contravention of section IV(6)(a) of the Minimum Housing and Health Standards which states that: 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
- d. Significant and numerous finishing issues were noted throughout the entire premises, 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.

AND

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.

AND

Which is in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: 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.

- e. There were numerous missing electrical outlet covers and switch plates. There were electrical outlet boxes with exposed wires, and there were electrical outlets that were not properly installed, which is in contravention of section IV(11) of the Minimum Housing and Health Standards which states 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.
- f. The top floor guardrail providing protection for the stairwell was incomplete, with sections of the railing and balusters not installed. As well, the stairwell itself lacked a proper railing down the length of the stairs, 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.
- g. The entire home was in a dangerously poor sanitary condition, 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.
- h. There were no operational/functioning smoke alarms in the premises, which is in contravention of section IV(12) of the Minimum Housing and Health Standards which states that: 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.
- i. The kitchen cabinets were in poor condition. Cupboard doors were broken off the cabinets, which is in contravention of section IV(14)(a)(ii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: cupboards or other facilities suitable for the storage of food.

- j. The roof of the home was in poor condition. There appeared to be a hole in the roof covered with wood sheathing. The edges of the roof were very damaged and falling apart, 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.
- k. There were people living in a tent in the back yard, 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.
- l. The shed in the back of the yard had been used as a shelter for people to sleep. This shed was full of mouldy insulation, 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.
- m. The backyard was full of debris (garbage, luggage, broken vehicles, construction debris and piles of wires), 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.

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 **October 13, 2024**.
- 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 plumbing and plumbing fixtures are in good operating condition and free from leaks.
 - b. Ensure the toilet is properly installed and in good condition.
 - c. Ensure the tub and all associated plumbing is properly installed and in good operating condition.
 - d. Ensure all finishes in the home are in good repair. Floors must have fully intact coverings that are in good repair and are easily cleanable. Walls must be in good repair and easily cleanable. All bathroom and kitchen finishes must be sealed against moisture and must be easily cleanable.
 - e. All electrical outlets and fixtures must be properly installed and appropriately covered (eg. switch plates, outlet covers, etc).

- f. Guardrails near stairs and railings to basement must be installed in accordance with Alberta building Code requirements.
 - g. Ensure the home is completely cleared out and thoroughly cleaned and sanitized. Items that are damaged or that are unable to be properly cleaned, such as the basement carpets, will need to be replaced.
 - h. Ensure smoke alarms are installed in the hallways near the bedrooms. Both upstairs and downstairs.
 - i. Ensure the kitchen cabinets, counters and drawers are properly constructed and suitable for food storage and preparation.
 - j. Ensure the roof and exterior cladding is properly finished and in good condition.
 - k. Ensure there is no one residing in the yard.
 - l. Ensure the shed is secured to prevent anyone from using it as a shelter.
 - m. Clear out all the refuse and belongings from the back yard.
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. Ensure the locks are changed and any other points of entry are secured as needed.

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, September 13, 2024.

Confirmation of a verbal order issued to Nevada Helgeson and Val Tollestrup on September 11, 2024.

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 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>

Lethbridge • Melcor Centre • South Zone

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www.albertahealthservices.ca/eph.asp