

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

To: Floyd Many Bears and Kendra Many Bears

And To: Marcella Crazy Boy, Cory Crowshoe and All Occupants of the following Housing premises:

RE: Those housing premises located in Lethbridge, Alberta and municipally described as: 1105 Ventura Road N.

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 is no water service.
- b. The front door isn't properly securable.
- c. Extensive finishing concerns noted in every room of the home. This includes, but is not limited to:
 - i) Missing floor coverings throughout much of the house.
 - ii) Holes in walls of varying size throughout the house.
 - iii) Baseboards are missing throughout much of the house.
 - iv) Wall coverings peeling off in various places.
 - v) Multiple inside doors are broken, have gaping holes or are held together with tape.
- d. Many of the windows are smashed.
- e. Both exterior doors are in very poor condition.
- f. The oven door has fallen off.
- g. There are many windows with missing insect screens.
- h. There is no smoke alarm.
- i. There are bathroom finishes not properly sealed against moisture.
- j. There are large, extremely flammable piles of dry branches located in multiple areas of the yard.
- k. The backyard is full of broken furniture and other debris.
- l. The basement is in such poor condition that the entrance from the stairs has been completely barricaded. The entire stairwell is a mess of nail filled construction debris, broken glass and garbage.
- m. There are loose wires and missing electrical fixtures in multiple rooms.
- n. There are critical plumbing concerns in the basement. This is why the water had been shut off.

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 is no water service which is in contravention of section IV(9) of the Minimum Housing and Health Standards which states that: Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.
- b. The front door isn't properly securable 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. Extensive finishing concerns noted in every room of the home 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.
- d. Many of the windows are smashed 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.
- e. Both exterior doors are in very poor condition 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. The oven door has fallen off which is in contravention of section IV(14)(a)(iv) of the Minimum Housing and Health Standards which states that: 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. The refrigerator shall be capable of maintaining a temperature of 4°C.
- g. There are many windows with missing insect screens which is in contravention of section III(2)(b)(iii) of the Minimum Housing and Health Standards which states that: During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.
- h. There is no smoke alarm 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. There are bathroom finishes not properly sealed against moisture 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.

- j. There are large, extremely flammable piles of dry branches located in multiple areas of the 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.
- k. The backyard is full of broken furniture and other debris 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 basement is in such poor condition that the entrance from the stairs has been completely barricaded. The entire stairwell is a mess of nail filled construction debris, broken glass and garbage which is in contravention of section 3(1)(a)(iii) of the Housing Regulation which states that: an owner shall ensure that the housing premises are in good repair.
- m. There are loose wires and missing electrical fixtures in multiple rooms 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.
- n. There are critical plumbing concerns in the basement 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.

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 June 15, 2021.
- 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 water services are reconnected.
 - b. Ensure exterior doors and windows are securable.
 - c. Ensure all finishes are in good condition.
 - d. Replace all broken windows.
 - e. Replace/repair both exterior doors.
 - f. Replace/repair oven.
 - g. Ensure all openable windows have screens.
 - h. Ensure a working smoke alarm is located in the hall between bedrooms.
 - i. Ensure bathroom is sealed against moisture.

- j. Ensure debris is removed from yard.
 - k. Ensure garbage is removed from yard.
 - l. Ensure stairwell is cleared and address the health issues in the basement.
 - m. Ensure all electrical fixtures are installed safely and that there are no hanging live wires.
 - n. Ensure all plumbing in this home is operational and in good repair.
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 Lethbridge, Alberta, May 18

Confirmation of a verbal order issued to Marcella Crazy Boy, Cory Crowshoe and Kendra Many Bears on May 14, 2021.

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 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

Lethbridge • Lethbridge Community Health • South Zone

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www.albertahealthservices.ca/eph.asp