

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

**To:** Cornelia Sana  
Ovidiu Tedor Sana  
"the Owner"

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

**RE:** Those housing premises located in County of Warner, Alberta and municipally described as: 194023A 8 Avenue; Lot 1, Block 1, Plan 2111439

**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. The shingles in one area of the roof appear to be in poor repair. There is evidence of water damage in the attic crawl space, such as wet insulation and mould growth.
- b. The house shows signs of a mouse infestation. Clothes in the master bedroom are chewed on, and a package of flour has been gnawed open in the kitchen pantry. Numerous droppings were observed in the master bedroom closet, master bathroom (under the shower), and the kitchen pantry.
- c. The bedroom windows in the master bedroom and second floor bedroom do not meet emergency egress. The master bedroom window has an openable space of approximately 15 and 1/4" by 17" (approximately 1.8 square feet), and the window in the second floor bedroom has an openable space of approximately 16.5" by 32.5" (approximately 3.72 square feet).
- d. An inadequate number of smoke alarms are installed in the house.
- e. Walls in multiple areas are not properly finished, specifically: the master bedroom (around the walk-in closet), inside the master bathroom (above the shower surround), along the stairs up to the second floor, the walls around the door inside the second floor bedroom, and the raw wood finishing of the kitchen cabinet in the dining room.
- f. The floor in the dining room is unfinished concrete.
- g. The floors in the bathrooms are in poor repair, specifically the floor by the toilet in the bathroom off the second bedroom, the floor at the entryway to the master bathroom, and the floor by the toilet in the main floor bathroom.
- h. There is evidence of mould growth in the crawl space in the attic, the wall above the entryway in the master bathroom, and the wall in the corner across from the shower in the bathroom off of the second bedroom.
- i. The cupboard below the kitchen sink shows signs of significant water damage.

- j. The shower plumbing in the master bathroom is leaking. The kitchen plumbing is leaking, and has caused significant water damage in the cupboard below.
- k. There are several areas of the deck that are broken and in poor repair.
- l. There is no ventilation (natural or mechanical) in the bathroom off of the second bedroom. One area of the upper wall shows significant mould growth.
- m. Siding and soffit are missing in various locations on the exterior of the house, exposing raw wood to the elements.

**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. The shingles in one area of the roof appear to be in poor repair. There is evidence of water damage in the attic crawl space, such as wet insulation and mould growth. This 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. The house shows signs of a mouse infestation. Clothes in the master bedroom are chewed on, and a package of flour has been gnawed open in the kitchen pantry. Numerous droppings observed in the master bedroom closet, master bathroom (under the shower), and the kitchen pantry. This 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.*
- c. The bedroom windows in the master bedroom and second floor bedroom do not meet emergency egress. The master bedroom window has an openable space of approximately 15 and 1/4" by 17" (approximately 1.8 square feet), and the window in the second floor bedroom has an openable space of approximately 16.5" by 32.5" (approximately 3.72 square feet). This is in contravention of Section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: *Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15").*
- d. An inadequate number of smoke alarms are installed in the house, which is in contravention of 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.*
- e. Walls in multiple areas are not properly finished, specifically: the master bedroom (around the walk-in closet), inside the master bathroom (above the shower surround), along the stairs up to the second floor, the walls around the door inside the second floor bedroom, and the raw wood finishing of the kitchen cabinet in the dining room. This 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.*
- f. The floor in the dining room is unfinished concrete. This 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.*

- g. The floors in the bathrooms are in poor repair, specifically the floor by the toilet in the bathroom off the second bedroom, the floor at the entryway to the master bathroom, and the floor by the toilet in the main floor bathroom. This is in contravention of and 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.*
- h. There is evidence of mould growth in the crawl space in the attic, the wall above the entryway in the master bathroom, and the wall in the corner across from the shower in the bathroom off of the second bedroom. This 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.*
- i. The cupboard below the kitchen sink shows signs of significant water damage, 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.*
- j. The shower plumbing in the master bathroom is leaking. The kitchen plumbing is leaking, and has caused significant water damage in the cupboard below. This is in contravention of Section IV(6)(c) of the Minimum Housing and Health Standards which states that: *All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.*
- k. There are several areas of the deck that are broken and in poor repair, 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.*
- l. There is no ventilation (natural or mechanical) in the bathroom off of the second bedroom, which is in contravention of Section IV(7)(c) of the Minimum Housing and Health Standards which states that: *All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.*
- m. Siding and soffit are missing in various locations on the exterior of the house, exposing raw wood to the elements. This 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.*

**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 January 15, 2023.
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 the roof is repaired, and all water damaged material replaced.
  - b. Ensure the housing premise is free of rodent infestation.
  - c. Ensure the master bedroom and the second floor bedroom meet emergency egress requirements, including windows that meet emergency egress sizing.
  - d. Install functional smoke alarms in adequate numbers.
  - e. Ensure walls through-out the house are properly finished and in good repair.
  - f. Ensure the floor in the dining room is properly finished and in good repair.

- g. Ensure the floors in the bathrooms are properly finished and in good repair.
- h. Remove and replace mould damaged material.
- i. Remove and repair water damaged material in the kitchen cupboard.
- j. Plumbing fixtures in the master bathroom and kitchen are free from leaks.
- k. Ensure that the deck is in good repair.
- l. Install ventilation in the bathroom off the second bedroom.
- m. Ensure the exterior of the house is finished with siding and soffit.

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, October 14, 2022  
AMENDED on November 28, 2022

Confirmation of a verbal order issued to John Pater on October 13, 2022.

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](mailto: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.

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 contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>**

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<https://www.ahs.ca/eph>