

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

To: Dallas Matson; James Matson; Bruce Look

And To: All Occupants of the following Housing premises:

RE: Those housing premises located in Coalhurst, Alberta and municipally described as:
413 52 Avenue

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 were no working smoke alarms on site.
- b. The lower kitchen cabinet were in very poor condition. All the cabinet doors were missing and 2 of the 3 drawers were missing. The remaining cabinet hardware was in poor condition.
- c. The plumbing under the kitchen sink was leaking.
- d. Multiple lighting fixtures were broken and inoperable. Some light fixtures were missing entirely with electrical wire exposed from electrical outlet box.
- e. Numerous finishing issues throughout the home. This includes, but is not limited to:
 - i) The wall under the kitchen sink was severely water damaged and appears to be mouldy.
 - ii) The kitchen floor was in terrible condition. There was a large hole in the floor that was used to access plumbing. This was loosely covered by a piece of plywood. Other portions of the kitchen and dining room are missing entirely.
 - iii) There was a large hole in the kitchen wall, above the stove. Exposed electrical wires were protruding from this hole.
 - iv) The kitchen window had no trim. Insulation was exposed.
 - v) The flooring finishes in the living room were missing entirely.
 - vi) There was a bare piece of plywood covering what appeared to be a hole in the ceiling in the hall near the kitchen. There was evidence of possible water damage in this area as the ceiling is uneven/warped.
 - vii) The ceiling was warped and/or stained from water damage in many areas throughout the living room and hallway.

- viii) Multiple bedroom windows did not have trim. Insulation and/or bare wood was exposed.
 - ix) The main bathroom floor was in poor condition.
 - x) The main bathroom door was cracked and in generally poor condition.
 - xi) The main bathroom cabinet had a large hole in the side.
 - xii) There were broken and loose tiles near the master bedroom ensuite.
 - xiii) The master bedroom was completely missing floor coverings, exposing the bare wood subfloor.
 - xiv) There were additional holes in various walls throughout the home.
 - xv) There were multiple additional holes in various sections of flooring throughout the house.
- f. The sliding back door did not have a suitable locking mechanism.
- g. Multiple windows appeared to have missing opening mechanisms entirely. One window was had a broken pane of glass.
- h. The front door had a clear gap underneath it and the back sliding door did not properly close. Neither door was sufficiently weatherproof.
- i. There were multiple windows with missing insect screens. There were damaged insect screens in various windows throughout the premises.
- j. There was no natural or mechanical ventilation at all in the ensuite bathroom.
- k. The bare living room floor was covered in dog excrement and not properly cleaned. As there was no floor covering in various locations, the excrement has seeped into and stained the subfloor.
- l. The back deck was in poor condition. Various planks were rotted and sink down when stepped on.
- m. The door to the crawl space entrance was bent and deformed to the point that it is no longer pest proof.
- n. The soffit and fascia were in poor condition.
- o. Some of the heating vents were rendered inoperable due to being encased in tin foil.
- p. The back yard was cluttered with various junk and debris. Including, but not limited to:
- i) The partially rotted head of a deer.
 - ii) Various dismantled/inoperable vehicles.
 - iii) Many pieces of damaged furniture.
 - iv) Numerous old tires.
 - v) Lots of clothing and bedding.

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 were no working smoke alarms on site. This is in contravention of section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.
- b. The lower kitchen cabinets were in very poor condition. This 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.
- c. The plumbing under the kitchen sink was leaking. This is in contravention of section 3(2) of the Housing Regulation, which states that: an owner shall ensure that the housing premises' plumbing system and facilities provided under subsection (1)(b) are free from defects and maintained in proper operating condition.
- d. Multiple lighting fixtures were broken and inoperable 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.
- e. Numerous finishing issues throughout the home. 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 sliding back door did not have a suitable locking mechanism. This 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.
- g. Multiple windows appeared to have missing opening mechanisms entirely. One window was had a broken pane of glass. This 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.
- h. The front door had a clear gap underneath it and the back sliding door did not properly close. Neither door was sufficiently weatherproof. This 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.
- i. There were multiple windows with missing insect screens. There were damaged insect screens in various windows throughout the premises. This 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.

- j. There was no natural or mechanical ventilation at all in the ensuite bathroom. This 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.
- k. The bare living room floor was covered in dog excrement and not properly cleaned. As there was no floor covering in various locations, the excrement has seeped into and stained the subfloor. This 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 back deck was in poor condition. Various planks were rotted and sink down when stepped on. This is in contravention of section III of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition.
- m. The door to the crawl space entrance was bent and deformed to the point that it is no longer pest proof. This 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.
- n. The soffit and fascia were in poor condition. This 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.
- o. Some of the heating vents were rendered inoperable due to being encased in tin foil. This is in contravention of section IV(8)(a)(i) of the Minimum Housing and Health Standards which states that: All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be *capable* of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of at least 22°C(71°F), or maintained at a temperature of at least 22°C(71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
- p. The back yard was cluttered with various junk and debris. This 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 September 18, 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 there is a working smoke alarm located in the main hall between the 3 bedrooms and ensure there is a working smoke alarm near the front bedroom.
 - b. Restore the kitchen cupboard. Replace the cabinet doors and drawers, and ensure the entire cupboard is in good condition, inside and out.
 - c. Ensure all the kitchen plumbing is in good repair and free from leaks.
 - d. Replace all lighting fixtures and ensure they are in good operating condition.
 - e. Properly repair or replace all damaged finishes, including but not limited to wall and ceiling damage, floor covering damage, and finishing trim.
 - f. Ensure all doors and windows are securable.
 - g. Ensure all windows are in good repair.
 - h. Ensure all doors and windows are weatherproof.
 - i. Ensure all openable windows have intact insect screens.
 - j. Ensure the ensuite bathroom has either mechanical or natural ventilation.
 - k. Thoroughly clean and disinfect floor and ensure there are no odour issues remaining. This must be completed prior to re-finishing the floor.
 - l. Repair or replace the back deck.
 - m. Repair or replace the crawlspace door. Ensure it is sealed and pestproof.
 - n. Replace the soffit and fascia.
 - o. Ensure the entire heating system is in good working condition.
 - p. Clear all junk from the yard.
- b. 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, August 23, 2023
Confirmation of a verbal order issued to Dallas Matson on August 17, 2023.

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

Lethbridge • Lethbridge Community Health • South Zone

801 1st Avenue South, Lethbridge, Alberta, Canada T1J 4L5

www.albertahealthservices.ca/eph.asp