

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

To: **Matthew Straat**
"the Owner"

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

RE: Those housing premises located in Raymond, Alberta and municipally described as:
476 N 100 E Raymond, AB (Plan 4489J, Block 177, Lot 9)

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 furnace is not in working order. The gas meter has been removed, and gas is not supplied to the premise.
- b. The hot water tank is not in working order. The gas meter has been removed, and gas is not supplied to the premise.
- c. There is a broken window by the back door, and a broken window at the front of the house.
- d. There is what appears to be visible mould growth on the drywall in the room that contains the hot water tank and furnace.
- e. An extension cord is being run from the house to a shed in the back yard. The cord is in poor repair, with wires exposed.
- f. The eaves-troughs are in poor repair; some are missing, and the bottoms are rusted out of others.

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 furnace is not in working order. The gas meter has been removed, and gas is not supplied to the premise. This is in contravention of Section 3(1)(b)(ii) of the *Housing Regulation* which states that: an owner shall ensure that the occupants of the housing premises are supplied with adequate heating facilities that are capable of maintaining a habitable indoor temperature, if the housing premises are used or intended for use during all or part of the period from September 1 in one year until May 1 in the following year.
- b. The hot water tank is not in working order. The gas meter has been removed, and gas is not supplied to the premise. This is in contravention of Section 3(1)(b)(iii) of the *Housing Regulation* which states that: an owner shall ensure that the occupants of the housing

premises are supplied with adequate running hot and cold water that is safe for human consumption.

- c. There is a broken window by the back door, and a broken window at the front of the house. 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.
- d. There is what appears to be visible mould growth on the drywall in the room that contains the hot water tank and furnace. 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.
- e. An extension cord is being run from the house to a shed in the back yard. The cord is in poor repair, with wires exposed. This 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 eaves-troughs are in poor repair; some are missing, and the bottoms are rusted out of others. This is 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.

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 11, 2019.
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 premise has adequate heating facilities.
 - b. Ensure occupants of the premise are supplied with adequate hot and cold water.
 - c. Ensure all windows are in good repair.
 - d. Remove materials that appear to be mould damaged.
 - e. Ensure all electrical service is in good and safe working condition.
 - f. Ensure all eaves-troughs are in place, and in good condition.
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, January 9, 2019

Kristen Dykstra, 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 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: <http://www.health.alberta.ca/about/PHAB.html>

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

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