

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

To: Gine Cimulini
"the Owner"

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

RE: Those housing premises located in Taber, Alberta and municipally described as:
5043 41 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. The interior of the dwelling was in a grossly unsanitary condition, with a significant accumulation of personal belongings, garbage and refuse. Human waste and animal waste was observed within the dwelling that being stored from the floor to the ceiling with only a narrow pathway for the inspector to navigate partway through the premises. Essential service agencies such as fire, law enforcement and ambulatory services who have entered and may need to enter the premises in the future are unable to provide their services in a safe manner with the premises in its current condition.
- b. The premises is currently without potable water.
- c. The egress window in the bedroom could not be observed from a vantage point within the premises due to extreme clutter from the aforementioned items being in the way.
- d. A significant accumulation of rodent droppings was observed in the premises, indicating that a rodent infestation is present or has occurred.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, and the Nuisance and General Sanitation Regulation (AR 243/2003), namely:

- a. The interior of the dwelling was in a grossly unsanitary condition, with a significant accumulation of personal belongings, garbage and refuse, human waste and animal waste was observed within the dwelling that being stored from the floor to the ceiling with only a small pathway for the inspector to navigate partway through the premises. Essential service agencies such as fire, law enforcement and ambulatory services who have entered and may need to enter the premises in the future are unable to provide their services in a safe manner with the premises in its current condition. This is in contravention of Section

2(1) and (2) of the Nuisance and General Sanitation Regulation which states: *“No person shall create, commit or maintain a nuisance. Without limiting the generality of subsection (1), a person who creates, commits or maintains any accumulation or deposit of offensive matter, waste or manure wherever situation, that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.”*

- b. The premises is currently without potable water. This is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states: *“No person shall create, commit or maintain a nuisance.”*
- c. The egress window in the bedroom could not be observed from a vantage point within the premises due to extreme clutter from the aforementioned items being in the way. This is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states: *“No person shall create, commit or maintain a nuisance.”*
- d. A significant accumulation of rodent droppings was observed in the premises, indicating that a rodent infestation is present or has occurred. This is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states: *“No person shall create, commit or maintain a nuisance.”*

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 August 6, 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. Remove and dispose of all of the accumulated garbage and refuse, human and waste in the premises.
 - b. Dispose of any and all personal belongings, home appliances, upholstery and any other building material in the premises that cannot be salvaged and adequately disinfected, and that have been grossly contaminated by the accumulated garbage, refuse, human waste and animal waste.
 - c. Contact a certified remediation specialist for an assessment to be conducted of the premises.
 - d. Complete and any all repairs and renovations that the remediation specialist suggests in their report in order for the property to be restored to a habitable state.
 - e. Restore potable water and other essential services to the premises.
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, August 6, 2021

Confirmation of a verbal order issued to Gine Cemulini on August 6, 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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Copy Taber Police Service