

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

To: Blair Garrett
Astrid Garrett
"the Owners"

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

RE: Those housing premises located in Viking, Alberta and municipally described as:
5228 54 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. Bedroom windows are difficult to open for emergency egress purposes.
- b. There appears to be several structural safety issues throughout the premises.
- c. Evidence of rodent infestation was noted throughout the premises.
- d. Lack of smoke alarms in the premises.
- e. Lack of appropriate heat ducting in second floor bedrooms leading to possible inadequate heating during colder seasons.
- f. Evidence of severely deteriorated, weather worn and moisture damaged building materials throughout the premises including exterior cladding, roofing, window and door framing.

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. Bedroom windows are in a state of severe deterioration and are difficult to open. This is in contravention of section 3(b)(i) of the Minimum Housing and Health Standards, which states, "For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge."
- b. The floor in several areas of the premises is severely heaved and uneven, indicating possible foundation and structural issues. This is in contravention of section 1 of the Minimum Housing and Health Standards, which states, "The owner shall ensure that the housing premises is structurally sound, in a safe condition and in good repair." Section 1(d) of these Standards also states, "Repairs or modifications required by the Executive Officer of any structural element of the housing premises may require the design and/or

- supervision of a professional structural engineer or a Safety Codes Officer (Building Discipline).”
- c. Evidence of a rodent infestation was detected in areas throughout the premises interior. This is in contravention of section 16(a) of the Minimum Housing and Health Standards, which states, “The owner shall ensure that the housing premises are free of insect and rodent infestations.”
 - d. Lack of heat ducting in all three of the second level bedrooms. This is in contravention of section 8(a) of the Minimum Housing and Health Standards, which states, “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).”
 - e. Window and door framing throughout the premises is in a state of severe deterioration. This is in contravention of section 2(b)(i) of the Minimum Housing and Health Standards, which states, “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
 - f. Lack of smoke alarms in the premises. This is in contravention of section 12(a) of the Minimum Housing and Health Standards, which states, “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. Smoke alarms shall be operational and in good repair at all times.”
 - g. Due to severely deteriorated door framing, south west and east entry doors do not have effective means of being secured/locked. This is in contravention of section 3(a) of the Minimum Housing and Health Standards, which states, “Exterior windows and doors shall be capable of being secured.”
 - h. Excess moisture damage was evident on the north east interior ceiling and wall of laundry room. This is in contravention of section 1(c) of the Minimum Housing and Health Standards, which states, “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
 - i. Eave boards in areas throughout premises exterior are in a severe, weather worn, and moisture damaged condition. This is in contravention of section 3(1)(a)(iii) & (iiii) of the Housing Regulation, which states, “An owner shall ensure that the housing premises are in good repair, and maintained in a waterproof, windproof and weatherproof condition.” Section 1(c) of this Regulation also states, “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
 - j. Lack of eaves troughs and downspout drainage throughout the premises exterior. This is in contravention of section 2(a) of the Minimum Housing and Health Standards, which states, “The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”
 - k. Wood siding throughout premises exterior is in a state or severe, damaged, weather worn condition. This is in contravention of section 2(a) of the Minimum Housing and Health Standards, which states, “The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”
 - l. The premises basement has an excess accumulation of miscellaneous debris, non-functional water heater appliances, and questionable safety/building code compliance due to the appearance of deteriorated, potentially non-compliant building support posts, floor joists and soil retaining walls. These conditions are in contravention of section 1(b) of the Minimum Housing and Health Standards, which states, “Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.” Section 1(d) of these Standards also states, “Repairs or modifications required by the Executive Officer of any structural element of the housing premises may

- require the design and/or supervision of a professional structural engineer or a Safety Codes Officer (Building Discipline).”
- m. The premises has a lack of appropriate shut-off valves serving the water supply lines in the main floor bathroom and laundry rooms. This is in contravention of section 3(2) of the Housing Regulation, which states, “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.”
 - n. Water leakage was evident from the washing machine in the laundry room. This is in contravention of section 6(c) of the Minimum Housing and Health Standards, which states, “All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”
 - o. Debris was noticed emanating from bathroom mechanical fan while running. This is in contravention of section 3(1)(a)(iii) of the Housing Regulation, which states, “An owner shall ensure that the housing premises are in good repair.”
 - p. Openable windows throughout the premises do not have insect screens, or they are not in good repair. This is in contravention of section 2(b)(iii) of the Minimum Housing and Health Standards, which states, “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.”

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 30, 2021.
- 2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install new bedroom windows of appropriate size for emergency egress, that are easily openable from the inside in an emergency.
 - b. All heaved and uneven flooring requires sufficient repair and/or replacement to a sound, level state. Proof of appropriate building code compliance will be required.
 - c. Contract the services of a qualified pest control professional/company to assess and remediate any rodent infestation issues within the premises.
 - d. Appropriate heat ducting to be installed in all second level bedrooms to ensure adequate heat is supplied to all during colder seasons. Proof of safety codes compliance will be required for any heating system installation and/or expansion.
 - e. Install new windows throughout premises, and doors (south west and east entry doors), with new framing.
 - f. Install properly operating smoke alarms 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.
 - g. Once new door framing is in place, install new locking mechanisms on south west and east entry doors.
 - h. Remove all moisture damaged ceiling and wall materials and replace with new.
 - i. All deteriorated and moisture damaged eave boards to be replaced with new.

- j. Appropriate eaves troughs to be installed in all applicable areas, as well as downspouts and diversion drainage channels to ensure adequate moisture drainage away from roof and building foundation.
 - k. All weather worn and damaged wood siding to be removed and replaced with new.
 - l. All miscellaneous, non-essential debris & waste material must be removed from basement to reduce potential fire hazard. In addition, a safety codes assessment/inspection must be completed to determine building code compliance for the entire premises, and repairs conducted, if necessary, to ensure this compliance. Proof of safety codes inspection and compliance will be required.
 - m. Install appropriate water supply shut off valving in washroom and laundry areas, to be accessible in the immediate area. In addition, a safety codes assessment/inspection must be completed to determine plumbing code compliance, and repairs conducted, if necessary, to ensure this compliance. Proof of safety codes inspection and compliance will be required.
 - n. Identify source of and repair laundry room wash machine water leakage.
 - o. Investigate source of bathroom mechanical fan debris and rectify. If necessary, new fan ducting may be required, owner to ensure any existing or new ducting vents to premises exterior.
 - p. Install effective window screens, that are in good repair, on all openable windows.
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 Vegreville, Alberta, August 20, 2021.

Confirmation of a verbal order issued to Abdul Rauf on August 19, 2021.

Order amended February 6, 2025, due to a change of ownership.

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>

Template revised Feb 20, 2020

Copy: Town of Viking