

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

To: Heather Peter, &
Matthew Peter
“the Owners”

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

RE: Those housing premises located in Sturgeon County, Alberta and municipally described as: 25103 Township 552, Lot 2 Block 1 Plan 1722925.

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. Materials, objects, and refuse are observed throughout the premises. This includes accumulation from floor to ceiling, in rooms, and hallways in quantities and volume that obstruct Emergency egress paths and may hinder safe exit of the property in a timely manner during an emergency such as fire.
- b. Hot water is not available at the kitchen faucet, main floor bathroom and upstairs bathroom of the premises. A hot water tank is not observed either due to excessive accumulation of materials or the hot water tank may not be present in the premises.
- c. The water is not being sampled to ensure potability.
- d. Electrical switch plates are missing at multiple locations including the foyer area, master bathroom, basement area across the staircase of the premises.
- e. The basement area appears to be used for sleeping purposes. Five beds (mattress stored directly on the floor, mattress and box spring, double mattresses) and three couches with bedding (bed sheets, blankets, and pillows) are observed. The basement windows do not meet emergency egress requirements. The window measurement of the largest window in the basement area is noted to be 20 X 21.5 inches. The openable area of the largest basement window is calculated to be at 2.99square feet.
- f. A horizontal crack is present in the window of the middle bedroom located upstairs. The size of the horizontal crack is not measured due to excessive accumulation of materials on floor obstructing the access. The emergency egress is obstructed, and window opening cannot be assessed.
- g. Means of ventilation is not available in the foyer area that is being used for sleeping purposes.
- h. A locking mechanism is not present on the side entrance door.
- i. Handrails are noted to be missing from the staircase leading to the basement area and foyer located pass the boot room that is being used for sleeping purposes.

- j. Exposed insulation is observed in the ceiling space in the basement area as no ceiling is present.
- k. The flooring of the master bath is missing as only subfloor is observed.
- l. The shower surround of the main floor bathroom is chipping.
- m. The toilet bowl and the hand washing sink of the master bathroom are not in operational state. Shower head is also noted to be missing.
- n. Human waste is being pumped on the ground. A black hose is observed to be exiting the sewer holding tank, and a dark liquid is observed to be pooled on the surrounding ground area to an approximate depth of 3cm or more. An odour is observed that smells like rotten eggs or possibly sewage effluent.
- o. Mouse droppings are noted upstairs. The location of mouse droppings at other areas of the premises is not verified due to excessive accumulation of materials on the floor.
- p. The premises is overcrowded. Five beds and three couches are present in the basement and are being used for sleeping purposes. Bedding (bed sheets, blankets, and pillows) are noted on all beds and three couches. Personal items such as mail, clothing items are also observed on the coffee tables.
- q. A large vertical crack is present on the exterior wall facing the backyard between the kitchen window and back door of the premises.

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. Materials, objects, and refuse are observed throughout the premises. This includes accumulation from floor to ceiling, in rooms, and hallways in quantities and volume that obstruct Emergency egress paths and may hinder safe exit of the property in a timely manner during an emergency such as fire. This is in contravention of **Section 16** of the **Minimum Housing and Health Standards**, which states, “**The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition**” and **Section 3 b (i) (ii)** 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**” and “**Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8fft²), with no dimension led than 380 mm (15”)**”.
- b. Hot water is not available at the kitchen faucet, main floor bathroom and upstairs bathroom of the premises. A hot water tank is not observed either due to excessive accumulation of materials or the hot water tank may not be present in the premises. This is in contravention of **Section 9** of the **Minimum Housing and Health Standards**, which states, “**Every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants. All hot running water shall be maintained at a temperature of not less than 46 degrees C (114 degrees F), and not more than 60 degrees C (140 degrees F) measured at the plumbing fixture**”.
- c. The water is not being sampled to ensure potability. This is in contravention of **Section 9** of the **Minimum Housing and Health Standards**, which states, “**Every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants. All hot running water shall be maintained at a temperature of not less than 46**

degrees C (114 degrees F), and not more than 60 degrees C (140 degrees F) measured at the plumbing fixture”.

- d. Electrical switch plates are missing at multiple locations including the foyer area, master bathroom, basement area across the staircase of the premises. This is in contravention of **Section 11** of the *Minimum Housing and Health Standards*, which states, “**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. The basement area appears to be used for sleeping purposes. Five beds (mattress stored directly on the floor, mattress and box spring, double mattresses) and three couches with bedding (bed sheets, blankets, and pillows) are observed. The basement windows do not meet emergency egress requirements. The window measurement of the largest window in the basement area is noted to be 20 X 21.5 inches. The openable area of the largest basement window is calculated to be at 2.99square feet. This is in contravention of **Section 3 b (i) (ii)** 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**” and “**Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8fft²), with no dimension led than 380 mm (15”)**”.
- f. A horizontal crack is present in the window of the middle bedroom located upstairs. The size of the horizontal crack is not measured due to excessive accumulation of materials on floor obstructing the access. The emergency egress is obstructed, and window opening cannot be assessed. 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**”.
- g. Means of ventilation is not available in the foyer area that is being used for sleeping purposes. This is in contravention of **Section 4 (i)** of the *Minimum Housing and Health Standards*, which states, “**All rooms used for sleeping shall be provided with: and (a) an openable window areas of 0.28 m² (3.0ft²); or (b) mechanical ventilation in conformance with the requirements of the Alberta Building Code**”.
- h. A locking mechanism is not present on the side entrance door. 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**”.
- i. Handrails are noted to be missing from the staircase leading to the basement area and foyer located pass the boot room that is being used for sleeping purposes. This is in contravention of **Section 3 (c) (i)** of the *Minimum Housing and Health Standards*, which states, “**Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design**”.
- j. Exposed insulation is observed in the ceiling space in the basement area as no ceiling is present. This is in contravention of **Section 5** of the *Minimum Housing and Health Standards*, which states, “**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**”.
- k. The flooring of the master bath is missing as only subfloor is observed. This is in contravention of **Section 5 (a)** of the *Minimum Housing and Health Standards*, which states, “**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. 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”.

- l. The shower surround of the main floor bathroom is chipping. This is in contravention of **Section 5 (a)** of the *Minimum Housing and Health Standards*, which states, “**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. 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”.**
- m. The toilet bowl and the hand washing sink of the master bathroom are not in operational state. Shower head is also noted to be missing. This is in contravention of **Section 7** of the *Minimum Housing and Health Standards*, which states, “**Except where exempt by regulation, every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower”.**
- n. Human waste is being pumped on the ground. A black hose is observed to be exiting the sewer holding tank, and a dark liquid is observed to be pooled on the surrounding ground area to an approximate depth of 3cm or more. An odour is observed that smells like rotten eggs or possibly sewage effluent. This is in contravention of **Section 6 (a)** of the *Minimum Housing and Health Standards*, which states, “**Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition”.**
- o. Mouse droppings are noted upstairs. The location of mouse droppings at other areas of the premises is not verified due to excessive accumulation of materials on the floor. This is in contravention of **Section 16 (a) (i)** of the *Minimum Housing and Health Standards*, which states, “**The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition. The owner shall ensure that the housing premises are free of insect and rodent infestations; and all situations requiring the application of pesticides must be applied in accordance with the Environmental Protection and Enhancement Act and regulation”.**
- p. The premises is overcrowded. Five beds and three couches are present in the basement and are being used for sleeping purposes. Bedding (bed sheets, blankets, and pillows) are noted on all beds and three couches. Personal items such as mail, clothing items are also observed on the coffee tables. This is in contravention of **Section 10 (a)** of the *Minimum Housing and Health Standards*, which states, “**The owner of a housing premises shall not permit it to become or remain overcrowded. A housing premises shall be deemed to be overcrowded if: (i) a bedroom in it has less than 3m² (32ft²) of total floor area and 5.6m³ (197ft³) of air space for each adult sleeping in the bedroom, (ii) in the case of a dormitory, the sleeping area in the dormitory has less than 4.6 m² (49.5ft²) of floor space and 8.5 m³ (300ft³) of air space for each adult sleeping in the sleeping area, or (iii) a habitable room in it that is not a bedroom but is used for sleeping purposes in combination with any other use has less than 9.5 m² (102ft²) of**

floor space and 21.4m³ (756ft³) of air space for each adult sleeping in the habitable room".

- q. A large vertical crack is present on the exterior wall facing the backyard between the kitchen window and back door of the premises. This is in contravention of **Section 1 (a)** of the ***Minimum Housing and Health Standards***, which states, "***The housing premises shall be structurally sound***".

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 July 24, 2024.
2. That the Owners immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remove objects, materials, and items in sufficient quantity by ensuring access and egress paths within the premises which allows clear and unobstructed exit by occupants. Clean and ensure that the premises is maintained in a sanitary manner.
 - b. Ensure that the premises is supplied with hot running water. Provide information on water source, well drilling report, location of the water well and treatment system if any to this office. Provide information and location of the hot water tank.
 - c. Submit both microbiological and chemical water samples to Alberta Precision Laboratory to ensure potability.
 - d. Install all missing electrical switch plate covers in the premises.
 - e. Replace and ensure that all windows located in areas being used for sleeping purposes meet emergency egress requirements and are not obstructed.
 - f. Replace the cracked window by ensuring that the openable size of the window meets emergency egress requirements.
 - g. Provide either a natural or mechanical ventilation system in accordance with requirements in all sleeping areas.
 - h. Install a locking mechanism at all exterior doors and windows.
 - i. Install handrails in accordance with requirements at all staircases.
 - j. Install ceiling that is made of smooth, easy to clean and moisture resistant material in the basement area.
 - k. Install flooring that is made of smooth, easy to clean and moisture resistant material in the master bathroom.
 - l. Replace the shower surround in the main bathroom and ensure it is maintained in a good operating condition.
 - m. Ensure all bathroom fixtures are maintained in good operating state. Replace or repair these fixtures as required.
 - n. Do not dispose human waste on the ground. Re-mediate soil and the surrounding area where the human waste has been discarded. Empty sewer holding tank using a vac truck on regular basis. Properly secure the sewer holding tank opening and install an alarm system.
 - o. Contact a licensed pest control operator to re-mediate the pest infestation. A copy of the pest control report must be submitted to local Environmental Public Health Office.
 - p. Do not use basement area for sleeping purposes.
 - q. Repair the large vertical crack present on the exterior wall of 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 St. Albert, Alberta, July 12, 2024.

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 visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Order of an Executive Officer – Unfit for Human Habitation - Order to Vacate

RE: The premises located in St. Albert, Alberta and municipally described as: 25103 Township Road 552, Sturgeon County, AB.

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Copy: Sturgeon County
Alberta Occupational Health and Safety
RCMP
Canadian Border Service Agency

St. Albert • St. Albert Public Health Centre • Environmental Public Health

23 Sir Winston Churchill Avenue and St. Albert, AB, Canada T8N 2S7

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