

UNFIT FOR HUMAN HABITATION

Dale Kierstead and Sharon Kierstead
of:

St. Albert, Alberta

WHEREAS pursuant to the provisions of Sections 59, 60, and 62 of the Public Health Act being Chapter P-37 of the Statutes of Alberta, an Executive Officer of a Regional Health Authority may issue a written order to the owner(s) of any place or any other person if he has reasonable and probable grounds to believe that a nuisance exists in that place or that the place or the owner(s) of it or any other person is in contravention of the Public Health Act or the Regulations.

AND WHEREAS the following conditions exist in the premises known as located at: **Plan 7721574, Block 8, Lot 52** municipally known as **6521- 53 Avenue, Redwater, Alberta** that is or may become injurious or dangerous to health or that might hinder in any manner the prevention, or suppression of disease, or are in contravention of the Nuisance and General Sanitation Regulation pursuant to Section 66 of the Public Health Act, to wit:

General Description:

Excessive water infiltration throughout the rental house and presence of mould that was creating a public health nuisance.

Building and Finishes Deficiencies

1. Critical infiltration of water throughout the dwelling due to leaking roof. Moisture and water damage to building materials. Rotted deck materials located at entrances to housing premise.

Nuisance Conditions

2. Excessive mould throughout the house.

Electrical Deficiencies

3. Presence of water damage to electrical fixtures.

NOW TAKE NOTICE that the undersigned Executive Officer hereby orders you, the owner(s), of the said premises to:

1. Have the premises remain vacant. **DO NOT PERMIT OCCUPANCY** of the above noted premises until authorized to do so by an Executive Officer of the said Authority.
2. Correct the aforementioned conditions to the satisfaction of the said Authority
3. Repair the leaking roof. Immediate action is required on presence of water (i.e.: removal of water and drying of affected areas). Assess, repair, clean, and restore building to proper operating condition.
4. Assess, repair and restore electrical systems to proper operating condition.
5. Remove building materials that are water damaged. Examine existing materials (i.e. vapor barriers, insulation) for evidence of water damage and/or mould growth and replace, repair or clean accordingly.
6. Remove and properly dispose of any waste materials.
7. Clean and sanitize all contaminated surfaces within building to render it safe for human habitation.
8. Replace the wooden deck at the entrances to the building.
9. Conduct all repairs and have assessment carried out in accordance with the following notes:

NOTES

- i. Where water or moisture damage has occurred, or where high humidity and temperature conditions have been prevalent, the area(s) must be assessed to determine the extent of damage and potential mould contamination. This assessment must include insulation and any other absorbent material in wall and ceiling cavities, including the attic. All mouldy material must be removed and the area cleaned and dried before repairs and refinishing are completed.

Where mould growth is extensive, mould remediation must be consistent with procedures in these or similar documents (with indicated date, or latest version)

 - Mould Remediation in Schools and Commercial Buildings (EPA, 2001)
 - Guidelines on Assessment and Remediation of Fungi in Indoor Environments (New York City Department of Health, 2008)
 - Mould Guidelines for the Canadian Construction Agency (CCA, 2004)
 - Mould in Indoor Environments Risk Assessment and Management Program Handbook (Alberta Research Council / Alberta Infrastructure and Transportation 2006)

It is *required* that such assessment and remediation be completed by consulting with and/or hiring an Environmental Consultant or Industrial/Occupational Health Consultant.

AND FURTHER TAKE NOTICE THAT you are hereby required to comply with this Order **accordingly:**

- all repairs must be completed and the provision of said documentation must be submitted to this office
- provide copies of all reports from the Environmental Consultant as relating to assessments prior to, and after, remediation, with the latter to include laboratory results from final air sampling.
- permission must be received from this office prior to any re-occupancy of noted areas of this housing premise.

Be advised that, if any part of this premise is intended for rental occupancy, you must

ensure that the premise is made to comply with the Minimum Housing and Health Standards prior to re-occupancy. Any building upgrades or modifications may be subject to municipality planning and development department reviews and the procuring of proper permits.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further repairs may be required to ensure full compliance of Regulation, or to prevent a Public Health Nuisance.

DATED at Sherwood Park, Alberta, September 7, 2010.

(original signed) _____
Executive Officer, Environmental Health Officer

You are advised that should this Executive Officer's Order not be complied with, prosecution will be considered for breach of the Public Health Act and the Regulations.

You have the right to appeal

A person who a) is directly affected by a decision of a Regional Health Authority, and
b) considers himself aggrieved by the decision
may appeal the decision within ten days after receiving the order to the
Public Health Appeal Board located at 24th Floor, Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta,
T5J 2N3. PH. 427-2813.

You are advised that all orders remain in effect pending such an appeal.

Health Legislation, Regulations and Standards

Electronic versions of the Housing Regulation A.R. 173/99 and the Minimum Housing and Health Standards can be found on the Alberta Health & Wellness website (Legislation) www.health.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.

Official copies of the standards are available by contacting the Legal and Legislative Services branch at (780) 427-6098