

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

**To:** Maxine Eismann  
"the Owner"

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

**RE:** Those housing premises located in Bow Island, Alberta and municipally described as:  
103 – 1 Avenue E, Bow Island, AB, T0K 0G0

**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 unit was packed with extreme amounts of clutter, personal belongings, and garbage. The living room, dining room, and spare bedrooms were inaccessible.
- b. The flooring throughout the unit is soaked in animal waste including urine and feces.
- c. There was a space heater plugged on top of the oven which creates a potential fire hazard due to the volume of refuse and clutter present. There is no other heat source in the home. The furnace is not in working condition.
- d. There is evidence of mice droppings by the front entrance near the furnace.
- e. There is a large accumulation of dust and debris in the unit which can affect air quality.
- f. There is a strong odour of feces and urine throughout the unit.

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act and Nuisance and General Sanitation 243/2003 exist in and about the above noted premises, namely:

- a. The unit was packed with extreme amounts of clutter, personal belongings, and garbage. The living room, dining room, and spare bedrooms were inaccessible. This is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states that "No person shall create, commit or maintain a nuisance".
- b. The flooring throughout the unit is soaked in animal waste including urine and feces. This is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states that "No person shall create, commit or maintain a nuisance".
- c. There was a space heater plugged on top of the oven which creates a potential fire hazard due to the volume of refuse and clutter present. There is no other heat source in the home. The furnace is not in working condition. This is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states that "No person shall create, commit or maintain a nuisance".

- d. There is evidence of mice droppings by the front entrance near the furnace. This is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states that “No person shall create, commit or maintain a nuisance”.
- e. There is a large accumulation of dust and debris in the unit which can affect air quality. This is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states that “No person shall create, commit or maintain a nuisance”.
- f. There is a strong odour of feces and urine throughout the unit. This is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states that “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 November 26, 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 all excess clutter, personal belongings, and garbage from the unit.
  - b. Removal of flooring and any building material below the carpet that is soiled with urine and feces.
  - c. Discontinue use of space heaters as the primary source of heat.
  - d. Remove pests from the unit and take precautions to prevent entry of pests.
  - e. Clean up dust and debris from the unit.
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 Medicine Hat, Alberta, November 18, 2021

Confirmation of a verbal order issued to Maxine Eismann on November 18, 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](mailto: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](http://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](http://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>

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Medicine Hat • River Heights Professional Centre • Environmental Public Health

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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)