

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

To: Maynard Roelofs
"the Owner"

And To: All Occupants of the following Housing premises:

RE: Those housing premises located in Lethbridge, Alberta and municipally described as:
1262 5 Avenue N.

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. Kitchen counters/cupboards are in poor repair. This includes, but is not limited to:
 1. Missing doors.
 2. Missing drawers.
 3. Missing handles.
 4. Damaged or missing finishes inside the cupboards.
- b. Finishes throughout every room of the house are in very poor condition. This includes, but is not limited to:
 1. Missing, peeling or otherwise heavily damaged portions of floor kitchen.
 2. Large portions of wall in multiple rooms are either heavily damaged or missing chunks.
 3. Large portions of the bathroom floor are missing.
- c. Many windows missing insect screens.
- d. Plumbing issues noted. These include, but are not limited to:
 1. The toilet has trouble flushing.
 2. The bathroom sink has trouble draining.
 3. There is a tap on the exterior that appears to continuously leak.
- e. There are no smoke alarms installed.
- f. The stairs to the basement are in poor condition. The last step was a piece of wood resting on a brick.
- g. The foundation appears to be in disrepair. Daylight was observable through foundation cracks on multiple sides of the house.
- h. The stove is in poor repair.

- i. The electrical system of this home is not in good repair. Breakers are constantly blown and there are outlet covers missing.
- j. There are many missing heating duct covers.
- k. The back door window is missing entirely. There is solely a loose, thin sheet of wood in its place.
- l. The shed in the back yard has exploded due to a propane tank ignition. The shed and surrounding area is covered in fire damaged materials.
- m. There is extremely poor sanitation throughout the entire home. This includes, but is not limited to:
 - 1. Excessive garbage everywhere.
 - 2. Extreme clutter in every room.
 - 3. Animal waste noted in multiple areas.
 - 4. Carpeted areas completely covered in filth and are no longer cleanable.

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. Kitchen counters/cupboards are in poor repair which is in contravention of section IV(14)(a)(iii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned;
- b. Finishes throughout every room of the house are in very poor condition which is in contravention of section III(5) of the Minimum Housing and Health Standards which states that: 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.
- c. Many windows missing insect screens which is in contravention of section III(2)(b)(iii) of the Minimum Housing and Health Standards which states that: 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.
- d. Plumbing issues noted which is in contravention of section IV(6)(a) of the Minimum Housing and Health Standards which states that: 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.
- e. There are no smoke alarms installed which is in contravention of section IV(12) of the Minimum Housing and Health Standards which states that: 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.
- f. The stairs to the basement are in poor condition which is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.

- g. The foundation appears to be in disrepair which is in contravention of section III(1)(a,b) of the Minimum Housing and Health Standards which states that: the housing premises shall be structurally sound, and; basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.
- h. The stove is in poor repair which is in contravention of section IV(14)(a)(iv) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4°C.
- i. The electrical system of this home is not in good repair which is in contravention of section IV(11) of the Minimum Housing and Health Standards which states that: 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.
- j. There are many missing heating duct covers which is in contravention of section III(5) of the Minimum Housing and Health Standards which states that: 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 back door window is missing entirely which is in contravention of section III(2)(b)(i) of the Minimum Housing and Health Standards which states that: All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- l. The shed in the back yard has exploded due to a propane tank ignition. The shed and surrounding area is covered in fire damaged materials which is in contravention of section 5(2) of the Housing Regulation which states that: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.
- m. There is extremely poor sanitation throughout the entire home which is in contravention of section 5(2) of the Housing Regulation which states that: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.

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 May 1, 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. Repair or replace all damaged cupboard/counter finishes, doors and drawers.
 - b. Repair or replace all damaged finishes.
 - c. Ensure every window has an insect screen.
 - d. Ensure all plumbing (including all indoor and outdoor fixtures) is in proper working order.
 - e. Ensure a working smoke alarm is installed near the two bedrooms.
 - f. Ensure stairs are replaced or securely reinforced.
 - g. Ensure foundation is assessed by a professional structural engineer. Further required actions will be based on this report.
 - h. Repair or replace stove.
 - i. Ensure home is assessed by an electrician and that all fixtures and outlets work safely as intended.
 - j. Ensure all duct holes have properly fitted covers.
 - k. Ensure all windows and doors are in good condition and have suitable locking mechanisms.
 - l. Remove all fire damaged debris from the backyard.
 - m. Remove all garbage and leftover belongings from this home. Thoroughly clean and sanitize every surface of this home. Replace all soiled carpets as these have been destroyed by filth.

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. This will require boarding up windows and securely locking the doors.

The above conditions noted at the time of inspection do not reflect all deficiencies. The clutter and sanitation issues are undoubtedly hiding many other major concerns. 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, March 24, 2021

Executive Officer
Environmental Health Officer

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: www.health.alberta.ca/about/health-legislation.html

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Lethbridge • Lethbridge Community Health • South Zone

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www.albertahealthservices.ca/eph.asp