

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

To: The City of Lethbridge
"the Owner"

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

RE: Those housing premises located in Lethbridge, Alberta and municipally described as:
714 7 Street S (Both the Main floor and Basement Suites).

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. Drug residue and paraphernalia was observed inside the home and in the yard.
- b. Most of the electrical outlets were uncovered.
- c. There was no water service to the premises.
- d. The heating ducts were not functional as they were full of wires and garbage.
- e. Premises was left in an unsanitary condition. Old food and dishes were found in various rooms attracting many fruit flies and other pests.
- f. There was a cloth container in the bathroom that appeared to contain biohazards. There was a cloud of insects surrounding this container.
- g. There was a broken tile that had fallen off the wall in the bathroom.
- h. Railings to basement did not meet Alberta Building Code requirements.
- i. Mould was developing on various walls and doors in the basement.
- j. The basement had clear evidence of water infiltration, most notably in the basement suite. The baseboards and walls had staining/warping and indications of water damage. The carpet in the basement rooms appeared to have mould developing on it. The entire home (both suites) had a musty, mould smell.

- k. Flooring at the bottom of the stairs, going to the basement suite was warped and sinking when stepped on. This is likely due to water damage.
- l. Premises is not secure, as there have been multiple reports and evidence of unauthorized access into the house.

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, and the Nuisance and General Sanitation Regulation exist in and about the above noted premises, namely:

- a. Drug residue and paraphernalia was observed inside the home and in the yard, which is in contravention of Section 2(2)(a) of the Nuisance and General Sanitation Regulation which states that a person who creates, commits or maintains any premises in a condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.
- b. Most of the electrical outlets were uncovered, which is in contravention of section IV.(11) of the Minimum Housing and Health Standard, 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.
- c. There was no water service to the premises, which is in contravention of 3(1)(b)(iii) of the Housing Regulation, which states that an owner shall ensure that the occupants of a housing premises are supplied with adequate running hot and cold water that is safe for human consumption.
- d. The heating ducts were not functional as they were full of wires and garbage, which is in contravention of section IV.(8)(a) of the Minimum Housing and Health Standard, 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 (i) at least 22°C (71°F), or (ii) maintained at a temperature of at least 22°C (71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
- e. Premises was left in an unsanitary condition. Old food and dishes were found in various rooms attracting many fruit flies and other pests, which is in contravention of Section 2(2)(a) of the Nuisance and General Sanitation Regulation which states that a person who creates, commits or maintains any premises in a condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.
- f. There was a cloth container in the bathroom that appeared to contain biohazards. There was a cloud of insects surrounding this container, which is in contravention of Section 2(2)(a) of the Nuisance and General Sanitation Regulation which states that a person who creates, commits or maintains any premises in a condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.

- g. There was a broken tile that had fallen off the wall in the bathroom, which is in contravention of section III.(5)(a) of the Minimum Housing and Health Standard, which states 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.
- h. Railings to basement did not meet Alberta Building Code requirements, which is in contravention of section III(3)(c)(i) of the Minimum Housing and Health Standard, 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.
- i. Mould was developing on various walls and doors in the basement, which is in contravention of Section 2(2)(a) of the Nuisance and General Sanitation Regulation, which states that a person who creates, commits or maintains any premises in a condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance. **And** in in contravention of section III.(1)(c) of the Minimum Housing and Health Standard, which states building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- j. The basement had clear evidence of water infiltration, most notably in the basement suite. The baseboards and walls had staining/warping and indications of water damage. The carpet in the basement rooms appeared to have mould developing on it. The entire home (both suites) had a musty, mould smell, which is in contravention of section III.(1)(b) of the Minimum Housing and Health Standard, which states basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation. **And** in in contravention of section III.(1)(c) of the Minimum Housing and Health Standard, which states building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- k. Flooring at the bottom of the stairs, going to the basement suite was warped and sinking when stepped on. This is likely due to water damage, which is in contravention of section III.(5) of the Minimum Housing and Health Standard, 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. **And** in in contravention of section III.(1)(c) of the Minimum Housing and Health Standard, which states building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- l. Premises is not secure, as there have been multiple reports and evidence of unauthorized access into the house, which is in in contravention of section III.(3)(a) of the Minimum Housing and Health Standard, which states exterior windows and doors shall be capable of being secured.

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 11, 2024**.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure measures are taken to secure the premises from unauthorized access.
 - b. Complete the necessary repairs to the premises. OR if the premises is to be demolished, the building material must be properly disposed of in such a manner that does not create a public health nuisance.
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 Lethbridge, Alberta, July 11, 2024

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 the Public Health Appeal Board or visiting their website.

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>

Lethbridge • Melcor Centre • South Zone

200 4 Avenue S, Lethbridge, Alberta, Canada, T1J 4C9

www.albertahealthservices.ca/eph.asp