

PUBLIC HEALTH APPEAL BOARD

IN THE MATTER OF THE PUBLIC HEALTH ACT,
CHAPTER P-37, R.S.A. 2000
AND ITS REGULATIONS
IN THE MATTER OF AN APPEAL TO
THE PUBLIC HEALTH APPEAL BOARD
BY MATTHEW PETER
OF THE ORDER OF AN EXECUTIVE OFFICER
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE
ISSUED BY ALBERTA HEALTH SERVICES
ZONE 4 EDMONTON
DATED AUGUST 29, 2014
HEARING HELD OCTOBER 15, 2014

Appearances:

Matthew Peter, Owner/Appellant
Ivan Bernardo, Counsel for Alberta Health Services/Respondent

Witnesses:

Matthew Peter, Owner/Appellant
Rebecca Johnson, Executive Officer with Alberta Health Services

Board Decision:

The Order of an Executive Officer Unfit for Human Habitation Order to Vacate dated August 29, 2014 is confirmed.

A. INTRODUCTION

An Unfit for Human Habitation Order to Vacate (the "Order") dated August 29, 2014 was issued to the Owner regarding the premises located at 11206 - 85 Street NW, Edmonton, Alberta (the "Premises"). The Order is attached as Appendix "A" to this Decision.

The Order directed the occupants to vacate the Premises by September 15, 2014. It also ordered that, until such time as the work set out in the Order was completed to the Executive Officer's satisfaction, the Premises were to remain vacant and secure from unauthorized entry.

The Order was issued pursuant to section 62 of the *Public Health Act* (the “Act”), the *Housing Regulation* (Alberta Regulation 173/99) and the *Minimum Housing and Health Standards*.

The Premises were occupied by tenants on August 20, 2014 when the Executive Officer conducted her inspection. The occupants vacated the Premises prior to September 15, 2014.

The Order was verbally issued to the Appellant, the owner of the property, on August 22, 2014 and the written Order was sent to him via email on August 29, 2014.

The Notice of Appeal dated September 5, 2014, was received by the Board on September 5, 2014.

The appeal was heard on October 15, 2014 at ATB Place, South Tower, 10020 100 Street N.W., Edmonton, Alberta.

The Order was entered as Appendix “A” and the Notice of Appeal as Appendix “B” at the hearing.

B. TIMING OF THE APPEAL

Section 5(3) of the *Public Health Act* requires the Appellant to serve notice of the appeal within 10 days after receiving notice of the Order. The Appellant served notice seven (7) days after he received the written Order via email and 14 days after the verbal Order was issued.

If the Notice of Appeal is not served within the 10 day time frame the Board may extend the time within which an appeal may be taken if it considers it appropriate to do so. There was no objection from Alberta Health Services to extending the time for receiving the Notice of Appeal from when the verbal Order was issued. The Board finds that it is appropriate to extend this time period.

C. JURISDICTION

The Appellant raised an objection to the Board’s jurisdiction to hear the appeal but withdrew his objection after receiving information about how the Board members were appointed. Alberta Health Services had no objection to the Board’s jurisdiction to hear the appeal.

D. ISSUES

1. Did the conditions set out in the Order exist at the time the Order was issued; and
2. Did the conditions that existed at the time the Order was issued support the issuance of the Unfit for Habitation Order to Vacate that was issued by Alberta Health Services.

E. THE APPELLANT'S SUBMISSIONS

The Appellant requested the Board vary the Order. He submitted that the Order as a whole was not patently unreasonable but he was appealing the Order as set out below.

1. **Some conditions set out in the Order existed but they were trivial and did not pose a risk to public health.** Those matters included:
 - Lack of gas heat in the summer;
 - Lack of hot water;
 - Missing screens on the windows;
 - Leaking bathroom sink tap;
 - Bath tub with peeling paint;
 - Battery missing from one smoke alarm and the other one hanging from wires;
 - Leaking roof and the subsequent damage to the interior ceilings;
 - Lack of hand rails along the stairs; and,
 - Lack of stair guards.

The Appellant did not deny the above conditions existed at the Premises at the time of the inspection but submitted they were not a risk to public health and they did not support the issuance of an Unfit for Habitation Order to Vacate.

In addition, it was his position that the requirement for hand rails and guards of a specific height along and around the stairs was unreasonable given that he only rented the Premises to able bodied adult tenants.

With respect to the lack of hot water, there was no tenancy agreement requiring the tenants to supply this utility service.

The Appellant had already purchased new roof shingles to repair the roof and they were in the yard at the time of the inspection.

2. Some conditions set out in the Order did not exist and the Premises did comply with the Act and the Regulations.

The Appellant submitted that the Board ought to vary the Order with respect to the windows as they did comply with the Act and Regulations.

With respect to the main floor bedroom, he submitted one window was large and, although the opening was smaller than required in the *Minimum Housing and Health Standards*, an occupant could either smash the window to get out in an emergency or could use the back door which was within 10 feet of the bedroom. The Appellant could also remove the butterfly clips holding the storm panes in place if that would make the windows compliant with the requirements.

With respect to the two (2) bedrooms in the basement, the Appellant submitted there were butterfly clips holding the storm windows in place from the outside of the building but tenants could easily push the window out and egress would not be restricted. In addition, he could remove the butterfly clips if that was satisfactory to the Executive Health Officer.

Two of the basement bedroom windows hinged on the bottom and he submitted that did not restrict egress because that allowed the windows to be flush with the wall when opened and that would make it easier to escape through the window than if the window was hinged from the top.

The wire mesh that was attached to the outside of one of the basement bedroom windows was removed after the inspection.

The Appellant also submitted that replacing the windows would be costly.

3. The Process of Issuing the Order lacked fairness.

The Appellant submitted that Alberta Health Services' interpretation of the Act and Regulations was unreasonable and it was borderline harassment of him and other owners that provide housing for individuals that are difficult to house. As a result of the Order being issued he was forced to evict tenants and given the low vacancy rate in the City of Edmonton, this was unreasonable. He submitted that he provides a community service that is important and should be supported.

In addition, the Appellant submitted he had purchased the Premises earlier in the year when it was in poor condition but Alberta Health Services had not issued an order when the prior owners owned the property. He had made improvements after purchasing the property and yet the Order was issued after those improvements were made which was unfair treatment directed at him.

The Appellant also submitted that the Act violated his *Charter* rights as all laws must comply with the *Charter's* requirements regarding unlawful searches. He acknowledged that the Act allowed the Executive Officer to enter a public place without an owner's consent but his position was that the Premises were his home and the legislation was unconstitutional by allowing entry into his home without his consent.

Finally, the Appellant submitted that the process was unfair because an inspection order or warning ought to have been issued in these circumstances rather than an Unfit for Habitation Order to Vacate. The Order was unreasonable considering the minor compliance issues found during the inspection.

F. ALBERTA HEALTH SERVICES' SUBMISSIONS

Alberta Health Services submitted case law concerning regulatory matters and the Act, the meaning of ownership and corporate liability and the regulatory concept of "no violation too small". The binder of case law was entered into evidence as Exhibit "A".

In addition, Alberta Health Services submitted a document entitled Excerpts of Key Evidence and Arguments and an indexed binder of documents and photographs that were entered into evidence as Exhibit "B".

Alberta Health Services submitted that the contraventions set out in the Order existed at the time the Order was issued and that was the test to be applied by the Board in the appeal. The issue was not whether a particular contravention was trivial but rather, did the deficiency exist. The Order as a whole was reasonable and should be considered in its totality rather than reviewing the reasonableness of each contravention separately.

In addition, Alberta Health Services submitted that the Board does not have jurisdiction to determine whether or not a contravention of the Act or its Regulations constitutes a risk to public health because that has already been determined by the government that passed the legislation. The Appellant's questioning regarding the purpose of the standards set out in the legislation was not proper as it was Alberta Health Services' role to apply the standards and not to set them.

Further, if a contravention is easily fixed that is not a defence to the Order and it is not the Executive Officer's role to advise the Appellant what is acceptable with respect to the repairs to the Premises.

Alberta Health Services submitted there was a serious risk of fire and the smoke alarms were not functioning properly and the windows did not provide proper egress. There were also structural problems evidenced by the leaking roof and these serious contraventions supported the Unfit for Habitation Order to Vacate being issued.

The evidence provided by Alberta Health Services included photographs of some of the contraventions set out in the Order. Evidence of all the contraventions was provided but the focus was directed on the primary area of dispute, the windows in the bedrooms. Alberta Health Services submitted that the main floor bedroom and two (2) bedrooms in the basement did not meet the egress requirements for occupants in the event of an emergency.

With respect to the main floor bedroom, there were two (2) windows. The north window opened only six (6) inches and had a storm pane that was held by butterfly clips on the outside of the pane. The second window also had a storm pane that was held by butterfly clips on the outside of the window frame. These clips were screwed into the outside of the window frame to hold the storm window in place. It was submitted that some people might be able to push the storm pane open from the inside but that people in a panic situation would have difficulty escaping in those circumstances.

Alberta Health Services submitted that the back door was not sufficient for egress for the main floor bedroom as it was several feet away from the bedroom and did not meet the requirements set out in the legislation.

With respect to the southeast basement bedroom, the storm pane was held by butterfly clips and the interior pane hinged from the bottom which inhibited egress in an emergency as an occupant would have to climb over the window in order to exit the room.

The same concerns applied to the northeast basement bedroom window. Although this bedroom had an additional window, it was covered by wire mesh secured by screws to the outside of the window which did not allow for egress.

The Executive Officer had consulted with a Fire Prevention Officer regarding the bottom hinging windows to support her finding that this affected egress from the windows. This consultation was pursuant to section 3(b)(iv) of the *Minimum Housing and Health Standards*.

G. DECISION

Having considered all of the evidence and submissions of the parties, the Board finds the Executive Officer's Order dated August 29, 2014 is confirmed.

H. REASONS

The Board finds there was minimal disagreement between the parties with respect to whether or not the conditions set out in the Order existed at the time the Order was issued. The primary contravention the parties disagreed on was whether the bedroom windows complied with the requirements set out in the *Minimum Housing and Health Standards*.

With respect to the windows, the Board finds that none of the bedrooms had sufficient egress at the time the Order was issued. *The Minimum Housing and Health Standards* requires the following:

Safe and Secure

(a) Locking Window and Door Hardware

Exterior windows and doors shall be capable of being secured.

(b) Emergency Egress

(i) 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.

(ii) Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15").

(iii) If the window referred in section 3(b)(i) is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge.

(iv) Notwithstanding section 3(b)(i), (ii) and (iii), alternate provisions for emergency egress may be approved by an executive officer where, after consultation with a safety codes officer, the executive officer is satisfied that the alternate provisions provide for means of emergency egress.

The bedroom on the main floor had two (2) windows. One was large but only had an opening in one dimension that was six (6) inches. Both windows had butterfly clips on the outside of the storm window panes that would restrict egress from the inside. Egress must be possible from the inside without the use of tools or special knowledge and that would not have been possible with the butterfly clips in place on the outside of the window frame.

An exception to the window egress requirements is where a bedroom door provides access directly to the exterior. In this situation the bedroom door opened into the home's interior and the door to the exterior was in the back porch area. This does not meet the required standards of a door providing access directly to the exterior.

The basement bedroom windows also had butterfly clips that would restrict egress. One window in each basement bedroom also had hinges that were on the bottom of the window which may further restrict egress as an occupant would be required to climb over

the window in order to escape in an emergency. The Executive Officer, as per s. 3(b)(iv) of the *Minimum Housing and Health Standards*, consulted with a fire safety officer to confirm this contravention.

The Board acknowledges the Appellant's submission that replacing the windows is costly but that does not alter the standards that are required by the legislation.

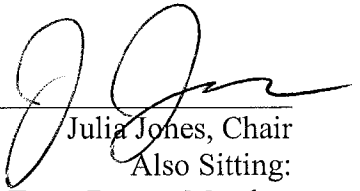
With respect to the Appellant's submissions that many of the items set out in the Order were trivial and did not pose a risk to public health, the Board is bound by the provisions of the Act and its Regulations. All the contraventions set out in the Order were of standards that were clearly set out in the *Minimum Housing and Health Standards* and are applied to rental housing.

Although some of the contraventions set out in the Order could be viewed as trivial matters, such as the leaking bathroom tap and the paint peeling in the bath tub, there were other significant contraventions that supported the Order that was issued. These included the lack of egress from the bedrooms, the smoke alarm without a working battery, the leaking roof and the lack of hot water available to the occupants. The contraventions as a whole substantiated the Unfit for Habitation Order to Vacate being issued and it was a reasonable order to issue in the circumstances. Alberta Health Services is not required to give an owner a warning or an inspection report before issuing an order and it is not advisable to do so when there are numerous contraventions, some of which are significant.

With respect to the Appellant's submission that the Act contravenes the *Charter of Rights and Freedoms* [*The Constitution Act*, 1982, c11] by allowing an Executive Officer to inspect his Premises without his consent, the Board has no jurisdiction to determine a question of constitutional law. The *Administrative Procedure and Jurisdiction Act*, RSA 2000, c A-3 must confer jurisdiction on the Board to determine a question of constitutional law and it has not done so.

The Board is bound by the provisions of the Act and its Regulations. The Appellant's submissions regarding the broader contextual issues are not included in the legislation and the standards that have been set by the legislation. These issues include the community service he provides by housing difficult tenants, the perceived harassment of him and other owners providing these services and the issuance of an Order to Vacate when the vacancy rate is low in Edmonton. The Board has found that the contraventions set out in the Order existed at the time the Order was issued and the broader contextual issues are not factors that would cause the Board to vary or reverse the Order.

The Executive Officer's Order dated August 29, 2014 is confirmed.

Per: 

Julia Jones, Chair
Also Sitting:
Terry Bunce, Member
Linda Cloutier, Member

Date: November 12, 2014

Appendix “A”

Order of an Executive Officer dated August 29, 2014



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

To: Matthew Peter
"the owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
11206 – 85 Street NW

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. There was no gas utility provided to the premises.
- b. There was no hot water available to the premises.
- c. The main floor smoke alarm was not operational at the time of inspection.
- d. The basement smoke alarm was not installed properly as it was hanging by wires, exposing the electrical junction box.
- e. The windows in the main floor bedroom were not adequate for emergency egress. Specifically, the north window opened to approximately 153 mm by 661 mm (approximately 6" by 26") and the east window storm pane was held by butterfly clips on the outside.
- f. The window in the southeast basement bedroom was not adequate for emergency egress: the storm pane was held by butterfly clips on the outside and the interior pane hinged from the bottom.
- g. The windows in the northeast bedroom were not adequate for emergency egress. Specifically, the east window storm pane was held by butterfly clips on the outside and the interior pane hinged from the bottom, and the north window was covered by wire mesh that was secured by screws to the outside of the window.
- h. There was a hasp lock of the northeast basement bedroom which could be locked from the outside, which could prevent emergency egress.
- i. The roof shingles were damaged, particularly on the west side of the premises.
- j. There was evidence of water infiltration from the roof into the kitchen. There was notable water staining and peeling paint on the kitchen ceiling.
- k. There was evidence of water infiltration from the roof into the main floor bedroom. There was notable water staining along cracks/seams on the bedroom ceiling.
- l. The bathroom sink faucet was dripping.
- m. The paint finish on the bathtub was peeling and curling, and as such, the surface was not easily cleanable.
- n. There was no handrail installed along the stairs leading to the basement, which creates a fall hazard.

- o. The guard along the stairs leading to the basement did not comply with the requirements of the Alberta Building Code.
- p. The guards along the front exterior stairs and porch were measured at approximately 734 mm (28 ½") high, which are too low.
- q. The insect screens were missing for a number of windows intended for ventilation throughout 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. There was no gas utility provided to the premises which is a contravention of section IV(8)(a) of the Minimum Housing and Health Standards which states that: Every owner of a housing premises shall ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant.
- b. There was no hot water available to the premises which is a contravention of section IV(9)(a) of the Minimum Housing and Health Standards which states that: Every building used in whole or in part, as a housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants. (a) All hot running shall be maintained at a temperature of not less than 46 degrees C (114°F), and not more than 60 degrees C (140°F) measured at the plumbing fixture.
- c. The main floor smoke alarm was not operational which is a contravention on 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.
- d. The basement smoke alarm was not installed properly as it was hanging by wires, exposing the electrical junction box, which is a contravention on section IV(11) of the Minimum Housing and Health Standards which states that: Every housing premises shall be supplied with electrical services. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
- e. The windows in the main floor bedroom were not adequate for emergency egress. Specifically, the north window opened to approximately 153 mm by 661 mm (approximately 6" by 26") and the east window storm pane was held by butterfly clips on the outside, which is a contravention of section III(3)(b) of the Minimum Housing and Health Standards. Windows intended to be secondary means of egress shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft² or 547 inches²), with no dimension less than 380 mm (15"). All egress windows must open directly to the outside.
- f. The window in the southeast basement bedroom was not adequate for emergency egress which is a contravention of section III(3)(b) of the Minimum Housing and Health Standards. Windows intended to be secondary means of egress shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft² or 547 inches²), with no dimension less than 380 mm (15"). All egress windows must open directly to the outside.

- g. The windows in the northeast bedroom were not adequate for emergency egress. Specifically, the east window storm pane was held by butterfly clips on the outside and the interior pane hinged from the bottom, and the north window was covered by wire mesh that was secured by screws to the outside of the window, which is a contravention of section III(3)(b) of the Minimum Housing and Health Standards. Windows intended to be secondary means of egress shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft² or 547 inches²), with no dimension less than 380 mm (15"). All egress windows must open directly to the outside.
- h. There was a hasp lock of the northeast basement bedroom which could be locked from the outside, which could prevent emergency egress, which is a 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 section 2(2)(a) which states that without limiting the generality of subsection (1), a person who creates, commits or maintains (a) 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.
- i. The roof shingles were damaged which is a contravention on section III(2)(a) of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition. 2(a) The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- j. There was evidence of water infiltration from the roof into the kitchen which is a contravention on section III(1)(c) of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition. 1(c) Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- k. There was evidence of water infiltration from the roof into the main floor bedroom which is a contravention on section III(1)(c) of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition. 1(c) Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- l. The bathroom sink faucet was dripping which is a 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.
- m. The paint finish on the bathtub was peeling and curling, and as such, the surface was not easily cleanable, which is a contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: 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.

- n. There was no handrail installed along the stairs leading to the basement which is a contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards which states that: 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.
- o. The guard along the stairs leading to the basement did not comply with the requirements of the Alberta Building Code which is a contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards which states that: 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.
- p. The guards along the front exterior stairs and porch were measured at approximately 734 mm (28 ½") high, which are too low, which is a contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards which states that: 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.
- q. The insect screens were missing for a number of windows intended for ventilation throughout the premises, which is a contravention of section 2(b)(iii) of the Minimum Housing and Health Standards which states: 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.

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 September 15, 2014
- 2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Restore the gas utility to the premises and ensure that all utilities are provided to all habitable areas of the premises at all times while occupied.
 - b. Restore the hot water to the premises so that it complies with section IV(9) of the Minimum Housing and Health Standards which states that: Every building used in whole or in part, as a housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants. (a) All hot running shall be maintained at a temperature of not less than 46 degrees C (114°F), and not more than 60 degrees C (140°F) measured at the plumbing fixture.

- c. Ensure operational smoke alarms are properly installed between each sleeping area.
 - d. Ensure all bedrooms have at least one window have unobstructed openings with areas not less than 0.35m^2 (3.8ft^2), with no dimension less than 380mm (1 inches).
 - e. Remove the hasp lock from the outside of the northeast basement bedroom.
 - f. Ensure that all building materials on the main floor ceiling that show evidence of rot or other deterioration are repaired and replaced.
 - g. Repair or replace the roof shingles and other roof members as necessary, so that it is waterproof, windproof and weatherproof. Ensure that the roof and exterior cladding of walls are maintained in a waterproof, windproof and weatherproof condition.
 - h. Repair the bathroom sink faucet so that it is in good repair and no longer drips.
 - i. Repair or replace the bathtub so that the surface is in good repair and is easily cleanable.
 - j. Install a handrail and a guard along the basement staircase.
 - k. Repair or replace the guards along the front exterior stairs and porch so that the 914 mm (36") in height.
 - l. Ensure all openable windows have effective screens installed during the portion of the year when there is a need for protection against flies and other flying insects.
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 Edmonton, Alberta, August 29, 2014

Confirmation of a verbal order issued to Matthew Peter, on August 22, 2014.



Rebecca Johnson, CPHI(C)
 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 within ten (10) days after receiving the order to the Public Health Appeal Board located at Reception, Main Floor. Telus Plaza, 10025 Jasper Avenue, Edmonton, Alberta, T5J 1S6, Telephone 780-427-2813 Fax 780-422-0914.

Order of an Executive Officer – Unfit for Human Habitation - Order to Vacate
RE: The premises located Edmonton, Alberta and municipally described as: 11206 – 85 Street
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The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or the Public Health Appeal Board 780-427-2813.

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

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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www.albertahealthservices.ca/eph.asp