

IN THE MATTER OF THE PUBLIC HEALTH ACT – ALBERTA
ORDER OF AN EXECUTIVE OFFICER

To: Highwood Heritage Estates Corp.
2200-250 6 Av. SW
Calgary, Alberta
T2P 3H7

Mr. Stephen T. Macleod
2200-250 6 Av. SW
Calgary, Alberta
T2P 3H7

Mr. Lorence T. Myggland
2200-250 6 Av. SW
Calgary, Alberta
T2P 3H7

Mr. Dereck Willar
Highwood Heritage Estates
Bay 3, 1704 61 Street SE
Calgary, Alberta
T2A 4V5

And To: All Occupants of those premises located in High River, Alberta and municipally described as:

118 Sunset Way
High River, Alberta

Re: Those premises located in High River, Alberta and municipally described as:

118 Sunset Way
High River, Alberta

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 the prevention or suppression of disease, namely:

- a. There is a gap between the west wall and the floor of housing premises.
- b. The footings for the housing premises are not secure.
- c. The main entrance door does not close properly and is not tight fitting.
- d. The main entrance does not have a storm door.

- e. The home lacks ventilation in the bathroom.
- f. There are exposed electrical wires where the kitchen fume hood should be.
- g. The cupboard drawers are broken.
- h. The bathroom needs repair to ceiling, walls and floor.
- i. The sink in the bathroom is not secured to cabinet.
- j. There is damage to the floor beneath the hot water tank.
- k. The plumbing for the clothes washer is not connected to the sewer system.
- l. The furnace needs to be serviced and cleaned.
- m. The heating ducts need to be cleaned.
- n. Mould was visible on floors, walls and ceiling in areas of the premises.
- o. Windows are leaking during rain events.
- p. The stairs, railings and landings are not secure nor in good repair.
- q. The skirting around the mobile homes allows entry for animals and pests.
- r. The carpets are dirty and worn.
- s. The smoke alarm dangles from the wall.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, and Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. There is a gap between the west wall and the floor of the housing premises which breaches Section 3 (1) (a) (i) of the Regulations and Part III 1 (a) of the Housing Standards.
- b. The footing of the housing premises are not secure which breaches Section 3 (1) (a) (ii) of the Regulations and Part III 1. (c) of the Housing Standards.
- c. The main entrance door does not close properly and is not tight fitting which breaches Section 3 (1) (a) (iii) of the Regulations and Part III 2. (b) (i) of the Housing Standards.
- d. The main entrance does not have a storm door which breaches Section 3 (1) (a) (iv) of the Regulations and Part III 2 (b) (i) of the Housing Standards.
- e. The home lacks ventilation in bathroom which breaches Part IV 7 (c) of the Housing Standards.
- f. There are exposed electrical wires where the kitchen fume hood should be which breaches Section 3 (1) (a) (ii) of the Regulations and Part IV 11 of the Housing Standards.
- g. The kitchen cupboard doors are broken which breaches Section 3(1) (a) (iii) of the Regulations and Part IV 14 (a) (ii) of the Housing Standards.
- h. The bathroom needs repair to ceiling, walls and floor which breaches Section 3(1) (a) (iii) of the Regulations and Part 111 5 (a) of the Housing Standards.
- i. The sink in the bathroom is not secured to cabinet which breaches Section 3 (2) of the Regulations and Part IV 6 (a) of the Housing Standards.
- j. There is damage to the floor beneath the hot water tank which breaches Section 3 (1) (a) (iii) of the Regulation and Part 111. 1. (b) of the Housing Standards.
- k. The plumbing for the clothes washer is not connected to the sewer system which breaches Section 3 (2) of the Regulations and Part IV. 6. (a) of the Housing Standards.
- l. The furnace needs serviced and cleaned which breaches Part IV. 8. (a) of the Housing Standards.

- m. The heating ducts need to be cleaned which breaches Section 3 (1) © of the Regulation and Part IV. 8. (a) of the Housing Standards.
- n. Mould was visible on floors, walls and ceiling in areas of the premises which breaches Section 5(1) (2) of the Regulations and Part 111. 1. (c) of the Housing Standards.
- o. Windows are leaking during rain events which breaches Section 3(1) (a) (iv) of the Housing Standards.
- p. The stairs, railings and landings are not secure nor in good repair which breaches Section 3(1) (a) (i) (ii) (iii) of the Regulations and Part 111. 3. (c) of the Housing Standards.
- q. The skirting around the mobile home allows entry for animals and pests which breaches Section 3(1) (a) (ii) (ii) (iv) of the Regulations and Part 111. 2. (a) of the Housing Standards.
- r. The carpets are dirty and worn which breaches Section 3(1) (c) of the Regulations and Part V. 16 of the Housing Standards.
- s. The smoke alarm dangles from the wall which breaches Part IV. 12. of the Housing Standards.

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 above noted premises be vacated no later than 11:59 pm, on Wednesday, the 4 th day of August, 2009 **AMENDING the ORDER issued the 22nd day of October, 2008**

2. That, if the above noted premises are to be reoccupied, the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

- a. The west wall of the housing premises needs to be inspected by a Safety Codes Officer to assess the structural integrity of the mobile home.
- b. The footings for the housing premises need to be inspected by a Safety Codes Officer to assess the suitability of the footings.
- c. The main entrance door needs to be tight fitting and weatherproof.
- d. The main entrance needs a storm door.
- e. The bathroom requires suitable ventilation.
- f. Exposed electrical wires need to be made safe.
- g. All broken cupboards and drawers need to be repaired.
- h. Repairs to the walls, floor and ceiling need to be completed.
- i. The bathroom sink needs to be secured to the plumbing drainage system.
- j. The floor below the hot water tank needs repair.
- k. The clothes washer needs to be hooked up to the plumbing system.
- l. Service and cleaning of furnace is required.
- m. The heating ducts require cleaning.
- n. Remove mould damaged items from housing premises.
- o. Windows need to be made waterproof and weatherproof.
- p. The front stairs and back stairs need to be made safe and secure.
- q. The skirting around the housing premises need to be repaired to prevent pests.

- r. Carpets need to be cleaned or removed.
 - s. Repair the smoke alarm.
3. That, until such time as the work referred to in paragraph 2 is completed to the satisfaction of the undersigned, or an executive officer of Alberta Health Services, the above noted premises shall remain vacant and secured from unauthorized entry.

Dated at Okotoks, Alberta, this 31st day of July, 2009 **AMENDING the ORDER issued the 22nd day of October, 2008**

Neil Williams
Executive Officer
Alberta Health Services

Section 5(2) of the Public Health Act provides that a person who is directly affected by this Order and considers himself or herself aggrieved hereby may appeal the same to the Public Health Appeal Board, 24th Floor, Telus Plaza North Tower, 10025 Jasper Avenue, Edmonton AB T5J 2N3, within ten (10) days. The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal.

The Owner is advised that the Public Health Act empowers Alberta Health Services to carry out the terms of this Order on the Owner's behalf and at the Owner's expense should the Owner fail to comply with the terms hereof.

Airdrie
Airdrie Public Health Centre
604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
Fax: 403-912-8410

Banff
Banff Health Centre
303 Lynx Street
PO Box 1266
Banff, AB T1L 1B3
Phone: 403-762-2990
Fax: 403-762-5570

Calgary/Mountain View/Rocky View
Alberta Health Services, *Southport*
10101 Southport Rd SW
Calgary, AB T2W 3N2
Phone: 403-943-2288
Fax: 403-943-8056

Canmore
Canmore Public Health
#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
Fax: 403-678-5068

Claresholm
Claresholm Public Health
5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403-625-4061
Fax: 403-625-4062

Didsbury
Didsbury Health Unit
PO Box 130
1210 -20th Avenue
Didsbury, AB T0M 0W0
Phone: 403-335-7292
Fax: 403-335-7610

Okotoks
Okotoks Public Health Centre
11 Cimarron Commons
Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

Strathmore
Public Health Building
650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244