

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

To: Morgan, Sheila
Box 362
Hussar, Alberta T0J 1S0
(the “**Owner**”)

And To: All Occupants (the “**Occupants**”) of those premises located in Hussar, Alberta and municipally described as:

121 2nd Ave E
Hussar, Alberta

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

121 2nd Ave E
Hussar, 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. The windows in the two bedrooms on the main floor were secured closed with screws;
- b. There were no smoke alarms installed or functioning in the housing premises;
- c. There was no hot or cold running water at the kitchen sink;
- d. There were no locks on the exterior doors;
- e. There were numerous windows that did not have locks;
- f. There were numerous windows that did not have screens;
- g. The wooden window frames and exterior door jams were rotted and deteriorated;
- h. There was no handrail on the stairs going to the second floor;
- i. The wall beside the staircase had a large hole;
- j. There was evidence of a small marijuana grow operation in the bedroom closet on the main floor;
- k. The toilet seat was broken and not secured;
- l. The front and back yard has a large accumulation of garbage.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Nuisance Regulation, Alberta Regulation 243/2003, Housing Regulation, Alberta Regulation 173/99, and Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. The windows in the two bedrooms on the main floor were secured closed with screws contravening Section 3 (b) of the Minimum Housing and Health Standards;
- b. There were no smoke alarms installed or functioning in the housing premises contravening Section 12 of the Minimum Housing and Health Standards;
- c. There was no hot or cold running water at the kitchen sink contravening Section 9 of the Minimum Housing and Health Standards;
- d. There were no locks on the exterior doors contravening Section 3 (a) of the Minimum Housing and Health Standards;
- e. There were numerous windows that did not have locks contravening Section 3 (a) of the Minimum Housing and Health Standards;
- f. There were numerous windows that did not have screens contravening Section 2 (b) (iii) of the Minimum Housing and Health Standards;
- g. The wooden window frames and exterior door jams were rotted and deteriorated contravening Section 1 (c) of the Minimum Housing and Health Standards;
- h. There was no handrail on the stairs going to the second floor contravening Section 3 (c) of the Minimum Housing and Health Standards;
- i. The wall beside the staircase had a large hole contravening Section 5 of the Minimum Housing and Health Standards;
- j. There was evidence of a small marijuana grow operation in the bedroom closet on the main floor contravening Section 5 (2) of the Minimum Housing and Health Standards;
- k. The toilet seat was broken and not secured contravening Section 6 (a) of the Minimum Housing and Health Standards;
- l. The front and back yard had a large accumulation of garbage contravening Section 2 (2) (e) of the Nuisance and General Sanitation Regulation.

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **closed for tenant accommodation purposes**;

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That tenants inhabiting the above noted premises be **vacated** no later than **12:00**, on **Tuesday, the 8th day of September, 2009**.
2. That, if the above noted premises are to be reoccupied by the public, the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remove the screws that secure the windows closed and ensure all windows in all bedrooms open to the outside, with a minimum unobstructed area not less than 0.35 square metres (3.8 square feet) with no dimension less than 380 mm (15 inches);
 - b. Install smoke alarms between sleeping areas and ensure they are operating;
 - c. Repair the plumbing at the kitchen sink so there is hot and cold running water;
 - d. Install locks on all exterior doors;
 - e. Install locks on all windows;
 - f. Install screens on all windows;

- g. Replace all rotted/deteriorated window frames and door jams;
 - h. Install a handrail on the staircase that connects the main floor to the upper floor;
 - i. Repair all holes in all walls throughout the housing premises;
 - j. Remove the marijuana growing equipment and ensure there is no moisture damage or mould growth on the walls in the closet;
 - k. Repair or replace the broken toilet seat;
 - l. All garbage and waste must be removed from the front and back yards.
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 **closed for tenant accommodation purposes**.

Dated at Strathmore, Alberta, this 8th day of September, 2009, confirming a verbal order given on September 3, 2009..

Jeremy Donaldson, BSc, BTEch, CPHI (C)
Executive Officer
Alberta Health Services – Calgary Zone

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.

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Calgary/Mountain View/Rocky View
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