

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

- To:** **Wayne Mervin Ryder**  
56 Blackfoot Crescent West  
Lethbridge, AB, T1K 7P6  
(the “**Owner**”)
- And To:** Trevor Kloschinsky (the “**Occupants**”) of those premises located in the MD of Foothills, Alberta and municipally described as:  
  
General Delivery, Turner Valley, AB T0L 2A0
- Re:** Those premises located in the MD of Foothills, Alberta and municipally described as:  
  
Plan 9011481, Block 2, SW 3-20-3-W5

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 water supplying the premises is not potable.
- b. There are exposed electrical outlets inside and outside of the house.
- c. The exterior cladding is made of fibre board and has gaps/cracks.
- d. There are no soffits or fascia on the roof and exterior walls exposing insulation all around the exterior of the house.
- e. The eaves troughing is incomplete.
- f. The front door jam has a large open air gap.
- g. The walls in the entry way, bedrooms and living room have holes and cracks in the drywall.
- h. The walls in the bathroom have damage to the drywall.
- i. The walls in the bedrooms do not have baseboards.
- j. There is evidence of mouse droppings in the laundry room and flies throughout the house.
- k. The ceiling in the entry way has water damage around the light fixture.
- l. The linoleum in the kitchen has many holes/rips throughout.
- m. The stove has a broken oven control and the broiler does not work.
- n. The faucet in the kitchen is broken and does not operate as designed.
- o. The faucet in the bathtub only produces hot water.
- p. There is evidence of mould in the main bedroom, the laundry room and the living room.

- q. The windows in the spare bedroom and living room have screens which are not present or in disrepair.
- r. There is evidence of grey water damage from the laundry and kitchen sink outlets on the exterior of the house.
- s. The lid for the septic tank is unsecured and is a safety hazard.
- t. The well head cap does not fit the casing size and is unsecured.

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 no potable water. This is a breach of the "Minimum Housing and Health Standards", specifically Section 9.
- b. There are exposed electrical outlets inside and outside of the house. This is a breach of the "Minimum Housing and Health Standards", specifically Section 11.
- c. The exterior cladding is made of fibre board and has gaps/cracks. This is a breach of the "Minimum Housing and Health Standards", specifically Section 2(a).
- d. There are no soffits or fascia on the roof and exterior walls exposing insulation all around the exterior of the house. This is a breach of the "Minimum Housing and Health Standards", specifically Section 2(a).
- e. The eaves troughing is incomplete. This is a breach of the "Minimum Housing and Health Standards", specifically Section 2(a).
- f. The front door jam has a large open air gap. This is a breach of the "Minimum Housing and Health Standards", specifically Section 2(b)(i).
- g. The walls in the entry way, bedrooms and living room have holes and cracks in the drywall. . This is a breach of the "Minimum Housing and Health Standards", specifically Section 5.
- h. The walls in the bathroom have damage to the drywall. This is a breach of the "Minimum Housing and Health Standards", specifically Section 5(a).
- i. The walls in the bedrooms do not have baseboards. This is a breach of the "Minimum Housing and Health Standards", specifically Section 5.
- j. There is evidence of mouse droppings in the laundry room and flies throughout the house. This is a breach of the "Minimum Housing and Health Standards", specifically Section 16(a)
- k. The ceiling in the entry way has water damage around the light fixture. This is a breach of the "Minimum Housing and Health Standards", specifically Section 5.
- l. The linoleum in the kitchen has many holes/rips throughout. This is a breach of the "Minimum Housing and Health Standards", specifically Section 5(b).
- m. The stove has a broken oven control and the broiler does not work. This is a breach of the "Minimum Housing and Health Standards", specifically Section 14(a)(iv).
- n. The faucet in the kitchen is broken and does not operate as designed. This is a breach of the "Minimum Housing and Health Standards", specifically Section 6(c).
- o. The faucet in the bathtub only produces hot water. This is a breach of the "Minimum Housing and Health Standards", specifically Section 6(c).
- p. There is evidence of mould on the walls in the main bedroom, the laundry room and the living room. This is a breach of the "Minimum Housing and Health Standards", specifically Section 5.
- q. The windows in the spare bedroom and living room have screens which are not

- present or in disrepair. This is a breach of the "Minimum Housing and Health Standards", specifically Section 2(b)(iii).
- r. There is evidence of grey water damage from the laundry and kitchen sink outlets on the exterior of the house. This is a breach of the "Minimum Housing and Health Standards", specifically Section 2(a).
  - s. The lid for the septic tank is unsecured and is a safety hazard. This is a breach of the "Minimum Housing and Health Standards", specifically Section 6(a).
  - t. The well head cap does not fit the casing size and is unsecured. This is a breach of the "Nuisance and General Sanitation Regulation", specifically Section 12.

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be

## **Unfit For Habitation**

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

1. That the above noted premises **shall be vacated by October 9, 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. Ensure the water is potable.
  - b. The electrical outlets are repaired and weatherproof.
  - c. The exterior cladding is covered with vermin proof, windproof, waterproof and weatherproof materials.
  - d. Soffits and fascia are installed.
  - e. The eaves troughing is complete.
  - f. The front door jam gap is repaired.
  - g. The walls in the entry way, bedrooms and living room are in good repair, non-absorbent and easily cleanable.
  - h. The walls in the bathroom are waterproof and in good repair.
  - i. The walls in the bedrooms have baseboards
  - j. Ensure the pests are eliminated from inside the house and are prevented from entering.
  - k. The ceiling in the entry way is repaired.
  - l. The linoleum in the kitchen is in good repair.
  - m. Ensure stove controls and the broiler are repaired.
  - n. The kitchen faucet is in good repair.
  - o. The bathtub faucet is in good repair.
  - p. The mould in the bedroom, living room and laundry room is cleaned up and the moisture source corrected.
  - q. The window screens are repaired or replaced in the spare bedroom and living room.
  - r. The exterior cladding is waterproof.
  - s. The lid of the septic tank is secured.
  - t. The cap for the well fits and is secured.

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 **Unfit for Habitation**.

Dated at Okotoks, Alberta, this 28 day of September, 2009 which follows the written e-mail order on September 25, 2009.

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Andrew O'Laney  
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, 24<sup>th</sup> 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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**Airdrie**

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Phone: 403-912-8400  
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**Banff**

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**Calgary/Mountain View/Rocky View**

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**Canmore**

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**Claresholm**

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**Didsbury**

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**Okotoks**

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**Strathmore**

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[www.calgaryhealthregion.ca/envhealth](http://www.calgaryhealthregion.ca/envhealth)