

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

To: “the Owner(s)”
Mary Kosowan

And To: Any and all Occupant(s) of the following Housing premises:
8325 – 82 Avenue NW, Edmonton

Subject: Those premises / housing premises, and all structures on this property, located in
Edmonton, Alberta, municipally described as:
8325 – 82 Avenue 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:

Based on (i) onsite observations and (ii) information received from the Edmonton Police Service (EPS), the premises

- a. was extremely cluttered and difficult to access, particularly at all door entrances/exits (front door main, front door basement, rear door main leading to basement staircase and back room/kitchen) and rooms (basement front room, main kitchen), and throughout premises
- b. had no electrical power supply
- c. had no natural gas supply
- d. exterior stairs / staircases and guards and handrails were in disrepair

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

- a. Violation items (a) – (d) are in contravention of sections 2(1) and 2(2) of the Nuisance and General Sanitation Regulation which states that no person shall create, commit or maintain a nuisance, and, without limiting the generality of subsection (1), a person who creates, commits or maintains (a) any premises in a condition that, and/or (h) any building that due to (i) its not being in a clean state, is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease; and/or section 5(2) of the Housing Regulation which states that “No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the

public health, including any condition that may hinder in any way the prevention or suppression of disease”

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 (any) occupants vacate the above noted premises immediately.
2. That the Owner(s) undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Hire a remediation company that specializes in fire/water damage restoration, waste, and/or hazardous materials remediation to assess and remove waste and clutter from all areas of the premises and property
 - b. Submit any remediation assessments and plans for review by an Executive Officer of Alberta Health Services
 - c. Provide documentation of all work completed to an Executive Officer of Alberta Health Services.
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, July 29, 2021.

Executive Officer
Public Health Inspector

Suite 700, 106th Street Tower, 10055-106 Street, Edmonton, AB T5J 2Y2

tel: (780) 735-1800 **fax:** (780) 735-1801

Copy: **Edmonton Police Service**
Police Headquarters
9620 - 103A Avenue
Edmonton, AB. Canada T5H 0H7

Copy: **Investigators Unit**

Justice and Solicitor General
7007 - 116 Street
Edmonton, AB. Canada T6H 5R8

Copy: **City of Edmonton**
Complaints and Investigations
Community Standards & Neighbourhoods
Edmonton, AB. Canada

Copy: **City of Edmonton**
Fire Rescue Services
10351 – 96 Street NW
Edmonton, AB. Canada T5H 2H5

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, Telus Plaza North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-427-2813
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <http://www.health.alberta.ca/about/PHAB.html>

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

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