Alberta Health Services

Environmental Public Health

ORDER OF AN EXECUTIVE OFFICER
CLOSED FOR TENANT ACCOMMODATION PURPOSES
ORDER TO VACATE

To: Koc Vinh Diep
Xieng Hoa Diep
"the Owner"

And To: All Occupant(s) of the following Housing premises: Basement, 106 Penworth Drive SE

RE: Those housing premises located in Calgary, Alberta and municipally described as: 106 Penworth Drive SE

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, in contravention of the Public Health Act and Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 namely:

a. The bedroom in the basement did not have a window to provide direct access to the exterior of the home.
b. There was no operational smoke alarm between basement sleeping area and the remainder of the suite.

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. The bedroom in the basement did not have a window to provide direct access to the exterior of the home. This is a contravention of section III (3)(b)(i) which states: 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.
b. There was no operational smoke alarm between basement sleeping area and the remainder of the suite. This is a contravention of section III (12)(a) which states: 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. (a) smoke alarms shall be operational and in good repair at all times.

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 the Owner(s) takes all steps necessary to ensure all Occupants vacate the above noted premises on or before March 22, 2026.

2. That the Owner(s) immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
    a. Install a bedroom window so that it provides an unobstructed opening with an area not less than 0.35 m2 (3.85 ft2), with no dimension less than 380mm (15 inches).
    b. Install smoke alarms between each sleeping area and the remainder of the suite.

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 closed for tenant accommodation purposes.

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 Calgary, Alberta, March 30, 2026.
Confirmation of a verbal order issued to Derrick Tran on March 22, 2026.

Executive Officer
Environmental Health Officer

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, ATB Place North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca

Website: https://www.alberta.ca/public-health-appeal-board.aspx

A Notice of Appeal form may be obtained by contacting the Public Health Appeal Board or visiting their website.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or https://www.alberta.ca/alberta-kings-printer.aspx.

Health Legislation and regulations are available for purchase. Please contact Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or https://www.alberta.ca/alberta-kings-printer.aspx.

Copies of standards are available by visiting: https://www.alberta.ca/health-standards-and-guidelines.aspx