

## FINAL INSPECTION REPORT

### Under the *Retirement Homes Act, 2010*

| Inspection Information                                                                                                     |                                            |
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| <b>Date of Inspection:</b> August 29, 2016                                                                                 | <b>Name of Inspector:</b> Georges Gauthier |
| <b>Inspection Type:</b> Compliance Inspection                                                                              |                                            |
| <b>Licensee:</b> 1814124 Ontario Inc. / 175-181 Niagara Street, St. Catharines, ON L2R 4M1 (the "Licensee")                |                                            |
| <b>Retirement Home:</b> Niagara Gardens Retirement Manor / 175-181 Niagara Street, St. Catharines, ON L2R 4M1 (the "home") |                                            |
| <b>Licence Number:</b> S0195                                                                                               |                                            |

| Purpose of Inspection                                                                                                      |
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| The RHRA conducts compliance inspections as set out in section 77(1) of the <i>Retirement Homes Act, 2010</i> (the "RHA"). |

| NON-COMPLIANCE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <p><b>1. The Licensee failed to comply with the RHA, S.O. 2010, c. 11, s. 53; Contents of agreement. The Licensee failed to comply with O. Reg. 166/11, s. 9; Agreement before resident commences residency.</b></p> <p>Specifically, the Licensee failed to comply with the following subsection(s):</p> <p><b><u>53. (2)</u></b> The agreement shall contain the prescribed requirements.</p> <p><b><u>9.</u></b> The agreement that subsection 53 (1) of the Act requires the licensee of a retirement home to enter into with a resident of the home shall contain,</p> <ul style="list-style-type: none"> <li>(a) the heading Retirement Homes Act, 2010 Provisions or the equivalent of that heading in the language of the agreement if the agreement is not in English;</li> <li>(b) under the heading mentioned in clause (a), a notice to the resident that sections 77 and 80 of the Act authorize an inspector or an investigator respectively to inspect, copy and remove records containing a resident's personal information, including personal health information, from the home for the purpose of determining whether the licensee is in compliance with the requirements of the Act;</li> <li>(c) under the heading mentioned in clause (a), a statement as to whether or not the licensee will indemnify the resident against loss of the resident's possessions and if so, the details of the indemnification, including the extent to which the resident's possessions are insured by the licensee;</li> <li>(d) under the heading mentioned in clause (a), a statement from the licensee that, <ul style="list-style-type: none"> <li>(i) the licensee has given to the resident the package of information required by clause 54 (1) (a) of the Act,</li> </ul> </li> </ul> |

(ii) the package includes all of the information required under subsection 54 (2) of the Act,  
(iii) the licensee warrants that all of the information that the licensee provided in the package was accurate and complete on the date of the agreement.

**Inspection Finding**

The agreements used for transitional residents did not meet the listed requirements.

**Outcome**

The Licensee has advised it has taken corrective action to achieve compliance. RHRA to confirm compliance by inspection.

## NOTICE

The Final Inspection Report is being provided to the Licensee, the Registrar of the Retirement Homes Regulatory Authority (the "RHRA") and the home's Residents' Council, if any.

Section 55 of the RHA requires that the Final Inspection Report be posted in the home in a conspicuous and easily accessible location. In addition, the Licensee must ensure that copies of every Final Inspection Report from the previous two (2) years are made available in the Home, in an easily accessible location.

The Registrar's copy of the Final Inspection Report, as it appears here, will be included on the RHRA Public Register, available online at <http://rhra.ca/en/register/>

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| Signature of Inspector<br> | Date<br>September 15, 2016 |
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