

REGISTRAR ORDER
Under the *Retirement Homes Act, 2010*

Order Number: 2020-S0404-95-01

Date of Order: June 15, 2020

Licensee: Rosslyn Retirement Inc.

Retirement Home: Rosslyn Retirement Residence, Hamilton ON.

Licence Number: S0404

Order Information: The Registrar issued an order to revoke the licence for Rosslyn Retirement Residence in Hamilton, Ontario (the “Home”) on June 15, 2020. The revocation is effective immediately. The Licensee must immediately cease operating the Home as a retirement home, as defined by the *Retirement Homes Act, 2010* (the “Act”). Under the terms of the Revocation Order, the Licensee was also ordered to i) refrain from re-admitting any existing residents back into the Home or to admit any new residents to the Home; ii) facilitate the safe retrieval of residents’ personal property from the Home and iii) provide residents and their substitute decision makers with notice of the revocation and assist residents in finding alternative accommodation if requested.

The Revocation Order was issued as the Registrar has reasonable grounds to believe that the Licensee no longer meets the licensing test. In particular, the Registrar formed reasonable grounds to believe that: i) The Licensee no longer demonstrates that it is competent to operate the home in a responsible manner in accordance with this Act and the regulations and that it is in a position to provide or facilitate the provision of care services to the home’s residents; ii) The past conduct of the Licensee no longer affords the Registrar reasonable grounds to believe the Home will be operated in accordance with the Act and the regulations and all other applicable Acts, regulations and municipal by-laws, with honesty and integrity, and in a manner not prejudicial to the health, safety and welfare of the residents; and, iii) The Licensee has contravened a requirement under the Act.

The Licensee was additionally found to have breached various sections of the Act including section 67(2) (the failure to protect residents from neglect) and section 27 of the Regulation and the requirements of the Chief Medical Officer of Health’s COVID-19 related Directives. The Home’s infection prevention and control (“IPAC”) measures were inadequate, which placed the Home’s residents at high risk of infection of COVID-19. Sixty of the sixty-four residents of the Home were infected with COVID-19 and at least 10 residents have died due to an outbreak of COVID-19, which led to the complete evacuation of all residents. Various factors led up to the evacuation of the home, including the Home’s failure to comply with an order of Public Health. Additionally, the Licensee’s failure to comply with Orders issued by the Registrar militated towards the Revocation Order. Further compliance and competency issues identified after the Home’s evacuation raised additional concerns warranting revocation.