
COMPLIANCE ORDER TO BE MADE AVAILABLE IN HOME

Pursuant to the *Retirement Homes Act, 2010* S.O. 2010, Chapter 11, section 90.

1869423 Ontario Limited
o/a Yorkville Retirement Residence
211 York Road
Dundas ON L9H 1M9

COMPLIANCE ORDER NO. 2022-S0194-90-01 – YORKVILLE RETIREMENT RESIDENCE

Under section 90 of the *Retirement Homes Act, 2010* (the “Act”), the Deputy Registrar of the Retirement Homes Regulatory Authority (the “Deputy Registrar” and the “RHRA”, respectively) may serve an order on a licensee ordering it to refrain from doing something, or to do something, for the purpose of ending the contravention and achieving compliance, ensuring that the contravention is not repeated, and that compliance is maintained. The Deputy Registrar issues this Compliance Order (the “Order”) to ensure 1869423 Ontario Limited (the “Licensee”) operating as Yorkville Retirement Residence (the “Home”) comes into compliance with the Act and Ontario Regulation 166/11 under the Act (the “Regulation”).

The Contraventions and Order listed below are followed by the reasons for this Order, and information on the appeal process.

CONTRAVENTION

The Deputy Registrar has reasonable grounds to believe that the Licensee is not in compliance with the following sections of the Act:

- Subsections 49(b) and (c) of the Act
- Subsections 7(1), (2), and (3) of the Regulation

The Licensee provided a notice to its residents on January 31, 2022, informing them that it would be ceasing operations on March 31, 2022. The Licensee did not provide residents with the required 120-day notice required by the Act and Regulation.

REQUIRED ACTION

Pursuant to section 90 of the Act, the Deputy Registrar orders the Licensee to comply with the following:

1. Continue to operate the Home as a retirement home until the earlier of May 31, 2022, or such time as all residents have voluntarily chosen to cease residing at the Home.
2. By February 18, 2022, provide notice to each resident and, if applicable, the resident's substitute decisionmaker, supplementing the notice that was sent on January 31, 2022, and indicating that the Home will cease operations on May 31, 2022. The letter must also advise residents that the *Residential Tenancies Act* applies and provide them with a link to the Landlord Tenant Board's resources page: <https://tribunalsontario.ca/lrb/help-for-tenants/>
3. Until the earlier of May 31, 2022, or such time as all residents have voluntarily chosen to cease residing at the Home, the Licensee must:
 - a. Ensure that there are, at all times, qualified, trained staff available to provide care services to residents of the Home;
 - b. Continue to provide care services to residents in accordance with the agreements between the Licensee and the residents, and in accordance with the Act and Regulation;
 - c. Not interfere with RHRA employees, contractors, community partners, or any external care providers in accessing residents of the Home. This includes, but is not limited to, permitting RHRA employees and/or their designates, community partners and/or external care providers with access to the Home;
 - d. Provide the Deputy Registrar with any information requested in writing within the timeframe specified by the Deputy Registrar, until such time as the Licensee ceases to operate the Home as a retirement home.
4. By February 18, 2022, provide the Deputy Registrar with a supplementary transition plan providing the following information:
 - a. A description of how the licensee intends to use the home after the home ceases to be operated as a retirement home;
 - b. A summary of the care needs of the residents;
 - c. A list of external care providers who provide care services to residents of the home;
 - d. A copy of the notice referred to in Paragraph 2 of this Order, and a declaration that the Licensee has complied with Paragraph 2 of this Order.
 - e. Identification and contact information for the individual who will be responsible for oversight of the operations of the Home until the earlier of May 31, 2022, or such time as all residents have voluntarily chosen to cease residing at the Home;

5. Until the earlier of May 31, 2022, or until such time as all residents have voluntarily chosen to cease residing at the Home, immediately notify the RHRA of:
 - a. Any missed payments to staff, contractors, or other vendors, as well as details of the nature of the missed payments;
 - b. Any notices, orders, directives, or other documents issued to the Licensee or the Home by the local fire services providers, local public health official, or the municipality;
 - c. Any pending service cancellations from utility or other service providers; and
 - d. Any other event that could reasonably affect the ability of the Home to continue to operate and/or provide care services to residents.
6. The Licensee must demonstrate through written reports to the RHRA that it is complying with paragraphs 1 & 3 of this Order. The Licensee must submit these reports at intervals determined by the RHRA Compliance Monitor.

Issued on February 14, 2022.