
ORDER TO REVOKE TO BE MADE AVAILABLE IN HOME

Pursuant to the *Retirement Homes Act, 2010* S.O. 2010, Chapter 11, section 93.

The Deputy Registrar believes on reasonable grounds that the Licensee does not meet the licensing criteria set out in section 35 of the Act. Pursuant to section 95(1) of the Act, that constitutes grounds for the Deputy Registrar to revoke the Licensee's licence. By this Order, the Deputy Registrar hereby revokes licence number T0504 as of the Effective Date set out below.

THE DEPUTY REGISTRAR OF THE RETIREMENT HOMES REGULATORY AUTHORITY ORDERS THAT:

1. Licence number T0504, issued to Jovanka Jovic on 06/30/2017 to operate Zora Srpski Dom, shall be revoked effective six (6) months after the date on which this Order is issued, subject to the Deputy Registrar determining that another date is appropriate (the "Effective Date").
2. By the Effective Date, the Licensee must cease operating the Home as a retirement home as defined by the Act and Ontario Regulation 166/11 (the "Regulation").
3. Within seven (7) business days of the date on which the Order is issued, the Licensee shall provide the RHRA with a copy of:
 - a. An up-to-date list of all residents of the Home including for each resident:
 - i. Date of birth;
 - ii. Phone number;
 - iii. E-mail address (if applicable);
 - iv. Room/suite number;
 - v. Care services provided by the Licensee;
 - vi. Care services provided by external care providers and the name of the external care providers; and
 - vii. Name and contact information of power of attorney and/or substitute decision-maker if applicable.
4. At least 120 days prior to the Licensee ceasing to operate as a retirement home, or 120 days prior to the Effective Date, whichever is earlier, provide directly to each resident, or as applicable, each resident's substitute decision-maker, a written notice approved by the RHRA indicating the date the Home will cease to be operated as a retirement home as defined by the Act, explaining how the Licensee will cease operating as a retirement home according to the Act and Regulation, and explaining that the residents

will no longer have the protections of the *Retirement Homes Act, 2010*, including the inspection regime and complaints process, and indicating that the Licensee will help to find appropriate alternate accommodation for residents if so requested.

5. Within 3 days of the implementation of paragraph 4 (providing notice to residents), submit to the RHRA written confirmation that the notice has been provided directly to each resident of the Home, or the resident's substitute decision-maker as applicable.
6. At least 120 days prior to the Licensee ceasing to operate the Home as a retirement home, or 120 days prior to the Effective Date, whichever is earlier, submit a transition plan to the Registrar, including the following information:
 - i. A description of how the Licensee intends to use the Home after the Home ceases to be a retirement home;
 - ii. An up-to-date summary of the care needs of the residents and a summary of the care services that the Licensee provides to the residents;
 - iii. An up-to-date list of alternate accommodation and external care providers that may be available to meet the needs of the residents after the home ceases to be operated as a retirement home;
 - iv. An up-to-date list of external care providers who provide care services to residents of the Home;
 - v. A description of how the Licensee will deal with any money that residents have entrusted to the Licensee.
7. Take reasonable steps, if residents request, to find appropriate alternate accommodation for residents or to facilitate resident access to any external care providers that a requesting resident needs.
8. Until the Licensee ceases to operate the Home as a retirement home:
 - 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 in writing any information the Deputy Registrar deems relevant and requests, within the timeframe specified by the Deputy Registrar, until such time as the licence is revoked.
9. Pursuant to section 60.3 of the Regulation, on or before the Effective Date, the Licensee shall surrender the revoked licence to the Deputy Registrar by mailing the physical licence to the RHRA.

Brief Summary of Background and Reasons

The Deputy Registrar has reasonable grounds to believe that the Licensee is not competent to operate the home in a responsible manner in accordance with the Act and the regulations and not in a position to provide or facilitate the provision of care services to its residents

1. In the opinion of the Deputy Registrar, since being licensed in 2017 the Licensee has demonstrated a consistent lack of competence and poor judgment in operating the Home. The Licensee has demonstrated a failure to take accountability for making changes in her own practice and for bringing the Home into compliance with the Act and Regulation.
2. Breaches of the Act and Regulation include a repeated failure to comply with the requirements of the Act and Regulation with respect to medication administration, failure to follow IPAC practices required of licensees during the COVID-19 pandemic, and failure to develop resident plans of care in a manner that is compliant with the Act and Regulation.

The Deputy Registrar has reasonable grounds to believe that the Licensee is operating the Home in a manner that is non-compliant with the Act and Regulation, and that is prejudicial to the health, safety and welfare of residents

3. The Licensee has jeopardized the health, safety and welfare of residents in various ways.
4. In the opinion of the Deputy Registrar, despite some improvements made by the Licensee, the Licensee appears to lack insight into how her past actions have jeopardized resident safety, wellbeing, and dignity. Therefore, the Deputy Registrar believes the likelihood of her maintaining compliance with the Act and Regulation is low.
5. The Deputy Registrar considered the totality of the circumstances relating to the Home, including the Licensee's history of and ongoing non-compliance with the Act and Regulation, and apparent lack of insight and accountability. After consideration, the Deputy Registrar determined that he had reasonable grounds to believe that the Licensee does not meet the criteria for licensing under s. 35(1) of the Act.

Issued on March 22, 2022