
ADMINISTRATIVE PENALTY ORDER TO BE MADE AVAILABLE IN HOME

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

2596217 Ontario Inc.
o/a Georgian Bay Seniors Lodge
7 Harriet Street
Penetanguishene, ON L9M 1K8

ADMINISTRATIVE PENALTY ORDER 2022-N0469-93-01

Under section 93 of the *Retirement Homes Act, 2010* (the “Act”), the Deputy Registrar of the Retirement Homes Regulatory Authority (the “Deputy Registrar” and “RHRA”, respectively) may order a person to pay an administrative penalty if the Deputy Registrar believes on reasonable grounds that the person has contravened the Act and Ontario Regulation 166/11 under the Act (the “Regulation”).

This is an Administrative Penalty Order requiring 2596217 Ontario Inc. (the “Licensee”), operating as Georgian Bay Seniors Lodge (the “Home”), to pay an administrative penalty. This Order is made to encourage compliance with the Act and the Regulation going forward.

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

CONTRAVENTIONS

The Deputy Registrar has reasonable grounds to believe that the Licensee contravened the following sections of the Act and Regulation:

- Section 65(5) of the Act and section 14(5) of the Regulation, by failing to train staff in required areas, including assistance with bathing and mental health issues, including caring for persons with dementia.
- Section 23(1) of the Regulation, by failing to implement the Home’s Behaviour Management Strategy.
- Sections 62(6) and (9) of the Act and 47(5) of the Regulation, by failing to complete resident assessment and plan of care as prescribed.
- Section 16(2) of the Regulation, by failing to document procedures for responding to extreme hot weather conditions.

BRIEF SUMMARY OF FACTS

The Licensee failed to ensure that appropriate procedures were in place to respond to extreme heat in the Home, failed to implement behaviour management strategies, and failed to train staff appropriately, contributing to the hospitalization and further deterioration of a resident.

ADMINISTRATIVE PENALTY FACTORS

PAYMENT RANGE

1. The Registrar considered the factors set out at s. 60.1(1) of the Regulation in determining the amount of the Administrative Penalty.
 - a) **Severity of Adverse Effect / Potential Adverse Effect:** The contraventions in this case, including the failure to train staff appropriately, failure to have procedures in place to respond to extreme heat, and failure to implement behaviour management strategies, contributed to a resident suffering a health crisis which contributed to their further deterioration. The adverse effect of the contraventions was major.
 - b) **Mitigation of Contravention:** The Licensee has taken steps to mitigate the adverse effects of the contravention going forward, which serves to reduce the amount of the penalty. The Home has also, since this incident occurred, replaced senior management in the Home.
 - c) **Previous Contraventions:** The Licensee has previously been cited for non-compliance in various areas, including Infection Prevention and Control, plan of care requirements, providing false or misleading information, and neglect.
 - d) **Economic Benefit:** There is no indication that the Licensee economically benefitted from the contravention.

Issued on May 12, 2022