
ORDER TO REVOKE SUMMARY TO BE MADE AVAILABLE IN HOME

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

2615412 Ontario Inc.
o/a Park Street Place
650 Park Street
Dresden, ON N0P 1M0

ORDER TO REVOKE A LICENCE NO. 2024-S0447-95-01 – PARK STREET PLACE

The Deputy Registrar believes on reasonable grounds that 2615412 Ontario Inc., 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 S0447 as of the Effective Date set out below.

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

1. Licence number S0447, issued to 2615412 Ontario Inc. on May 31, 2018, to operate Park Street Place, shall be revoked effective 127 days after the date on which the 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 either:
 - a. Sell the Home to a buyer that will operate the Home as a retirement home and will be licensed by the RHRA; or
 - b. Cease operating the Home as a retirement home, as defined by the Act.
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. If the Licensee elects to cease operating the Home as a retirement home, the Licensee must:
- a. At least 120 days before the Licensee ceases to operate the Home as a retirement home or 120 days before 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, 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 Act, including inspections and complaints, and that the Licensee will help to find appropriate alternate accommodation for residents if requested.
 - b. 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, including whether the Licensee intends to sell the 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.
 - c. 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.
5. If the Licensee elects to sell the Home to a purchaser who will operate the Home as a retirement home, the Licensee must:

- a. Immediately upon forming the intention to sell the Home to a specific purchaser, provide the RHRA with the name and contact information of the potential purchaser and, if applicable, the potential purchaser's agent.
6. Until the date on which a sale of the Home is completed, the date on which the Licensee ceases to operate the Home as a retirement home, or the Effective Date, whichever is earliest, the Licensee must:
- a. Continue to employ or retain a manager, acceptable to the RHRA, to manage all of the operations of the Home. The Licensee shall facilitate and assist the manager in managing the Home and shall not interfere with the manager in any way. The Licensee shall defer to the manager on matters relating to the operation of the Home and shall execute the direction issued to it by the manager. For greater clarity, this includes executing the manager's directions regarding staffing the Home appropriately.
 - b. Immediately notify the RHRA of:
 - i. Any missed payments to staff, contractors, external care providers, vendors, suppliers or service providers, and details of the nature and amounts of the missed payments;
 - ii. Any notice of present or future service cancellations from utility or other service providers;
 - iii. Any staff resignation due to lack of payment or workplace conditions; and
 - iv. Any other events that may reasonably affect the ability of the Home to continue to operate or to provide care services to residents.
 - c. Ensure that there are, at all times, qualified and trained staff available to provide agreed-upon care services to residents of the Home;
 - d. Continue to provide care services to residents in accordance with the agreements between the Licensee and the residents and in accordance with the Act;
 - e. Not interfere with RHRA inspectors, employees, community partners or external care providers in accessing the Home and residents of the Home;
 - f. Provide the Registrar with any information requested in writing within the timeframe specified by the Registrar.
7. Immediately after being served with the Order, the Licensee must post a Notice to Residents, regarding the Order, in a common area of the Home and deliver a copy of the Notice to Residents to each resident or, as applicable, substitute decision-maker. The RHRA will provide the Licensee with a copy of the Notice to Residents that must be posted and distributed.

8. 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.

Summary of Reasons

1. The Deputy Registrar has reasonable grounds to believe that the Licensee has contravened numerous requirements under the Act, including failing to provide necessary care services to residents and failing to protect residents of the Home from neglect, and that the criteria in section 35 of the Act are no longer met. Specifically, the Licensee has failed to:
 - a. Demonstrate the competence to operate the Home in a responsible manner and in accordance with the Act;
 - b. Demonstrate that it is in a position to appropriately provide care services to the residents of the Home; and
 - c. Demonstrate that the Home will be operated in a manner that is not prejudicial to the health, safety or welfare of its residents.
2. The Licensee is operating the Home in a critical state of debt, which has resulted in staffing, vendor, and supplier interruptions. Outstanding payments to external staffing agencies have resulted in interruptions in securing temporary staff to ensure that the Home has, at all times, a sufficient number of staff.
3. The Licensee's late and insufficient staff payments, including failing to make remittances to the unionized staff pension fund, has resulted in staff resignations or leaves of absence which has left the Home insufficiently staffed and residents not receiving adequate care. The Licensee has failed to compensate a Manager imposed through the Deputy Registrar's September 25, 2023 Management Order in Extraordinary Circumstances, which has adversely impacted the Manager's ability to assist the Home's operations.
4. The Licensee's conduct reinforces the Deputy Registrar's concerns about its failure to operate the Home responsibly. The Licensee is focused on reducing expenses and is not guided by ensuring resident needs are met and resident health is safeguarded. The Licensee does not appear to have the good-faith intention or ability to operate the Home in compliance with the Act.
5. In the opinion of the Deputy Registrar, the Licensee's financial and staffing mismanagement of the Home is irresponsible, incompetent, and prejudicial to resident health, safety, and welfare. The Deputy Registrar has determined that the Licensee does not meet the criteria for licensing set out in section 35 of the Act.

Issued on January 22, 2024.