
ADMINISTRATIVE PENALTY ORDER SUMMARY TO BE MADE AVAILABLE IN HOME

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

Baybridge (Brampton) Inc.
o/a Amica Peel Village
222 Main Street S.
Brampton, ON L6Y 6H1

ADMINISTRATIVE PENALTY ORDER 2024-T0528-93-01 – AMICA PEEL VILLAGE

The Deputy Registrar of the Retirement Homes Regulatory Authority (the “Deputy Registrar” and the “RHRA”, respectively) has reasonable grounds to believe that Baybridge (Brampton) Inc. (the “Licensee”) operating as Amica Peel Village (the “Home”) has contravened sections of the *Retirement Homes Act, 2010* (the “Act”).

The Deputy Registrar issues this Order to Pay an Administrative Penalty under section 93 of the Act to encourage the Licensee to comply with the requirements under the Act and Regulation.

CONTRAVENTION

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

- Section 67(1) of the Act – failing to protect a resident of the Home from abuse by anyone.

BRIEF SUMMARY OF FACTS

A member of staff forcefully placed a cloth into the mouth of a resident while providing personal care to quiet the resident's yelling, which resulted in further emotional distress for the resident. Staff who witnessed the incident failed to take immediate steps to intervene or report the misconduct.

ADMINISTRATIVE PENALTY FACTORS

The Deputy Registrar considered the factors contained in subsection 60.1(1) of the Regulation in determining the amount of the Administrative Penalty:

a) **Severity of Adverse Effect / Potential Adverse Effect:**

A member of staff forcefully placed a cloth into the mouth of a resident while providing personal care to quiet the resident's yelling, which resulted in emotional distress for the resident. Staff who witnessed the incident failed to take immediate steps to intervene or report the misconduct. The adverse effect falls into the major range.

b) **Mitigation of Contravention:**

The Licensee immediately took corrective actions once they were informed of the incident and has taken steps to ensure that staff are fully trained on abuse. This factor serves to lower the overall quantum of the penalty.

c) **Previous Contraventions:**

The Licensee does not have a history of similar contraventions relating to abuse. This is a neutral factor in the assessment of the amount of the quantum of the penalty.

d) **Economic Benefit:**

The Licensee did not receive any direct economic benefit from this non-compliance, and so this is a neutral factor.

e) **Purpose of Administrative Penalty:**

To encourage the Licensee to ensure compliance in the future. The penalty is not intended to be punitive.

Issued on March 26, 2024.