
ADMINISTRATIVE PENALTY ORDER SUMMARY TO BE MADE AVAILABLE IN HOME

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

The First Step Group Home
138 Janray Dr.
Scarborough, ON M1G 1Y9

ADMINISTRATIVE PENALTY ORDER NO. 2023-T0530-93-01 – FIRST STEP GROUP HOME

The Deputy Registrar of the Retirement Homes Regulatory Authority (the “Deputy Registrar” and the “RHRA”, respectively) has reasonable grounds to believe that The First Step Group Home (the “Operator”) operating as First Step Group Home (the “Home”) has contravened a section 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 Operator to comply with the requirements under the Act and Ontario Regulation 166/11 under the Act.

CONTRAVENTIONS

The Deputy Registrar has reasonable grounds to believe that the Operator contravened the following section of the Act.:

- Section 33(1) of the Act, for operating a retirement home without a licence.

BRIEF SUMMARY OF FACTS

1. The RHRA inspectors conducted an inspection of the Home on July 12, 2023, pursuant to section 77(2) of the Act. Based on their findings during the inspection, the inspectors determined that the Home was operating as a retirement home as it is defined in the Act. The inspectors found that:
 - a. The Home makes at least two care services available to its six residents, including the provision of meals, administration of a drug or another substance and assistance with bathing.
 - b. The Home is occupied primarily by residents 65 years of age or older. At the time of the inspection, six residents lived in the Home, four of whom were 65 years of age or older.

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:

2. **Potential Adverse Effect to Residents:** The effect of operating a retirement home without a licence will have a major potential effect on residents. Care without any regulatory oversight is an inherent risk to residents.
3. **Previous Contravention:** The Operator has consistently breached the Act and has also breached a Court order, this is a significant factor in escalating the quantum of penalty. A higher penalty is required to demonstrate to this Operator that it cannot continue to flout the legislation.
4. **Economic Benefit:** The Operator has had the benefit of operating a retirement home without paying licensing fees or undergoing any of the other expenses required to ensure that it is meeting regulatory obligations. While it is not possible to quantify these savings based on the information that the RHRA has, the Operator should be made aware that it cannot take that benefit without penalty
5. **Mitigation of Adverse Effects:** The Operator appears to have vacated the Home, but only after they were discovered operating without a licence and after the RHRA threatened to bring a motion to hold them in contempt of court. The mitigation in this case should be given little weight for that reason.

Issued on December 12, 2023.