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# COMPLIANCE ORDER TO BE MADE AVAILABLE IN HOME

Pursuant to the *Retirement Homes Act, 2010* S.O. 2010, Chapter 11, section 90.

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Butternut Manor Uxbridge Inc.  
o/a Butternut Manor  
3 Norm Goodspeed Drive  
Uxbridge, L9P 0B7

## COMPLIANCE ORDER NO. 2024-T0070-90-01

Under section 90 of the *Retirement Homes Act, 2010* (the “Act”), if the Deputy Registrar of the Retirement Homes Regulatory Authority (the “Deputy Registrar” and the “RHRA”, respectively) believes on reasonable grounds that a licensee has contravened a requirement under the Act the Deputy Registrar may serve an order on a licensee ordering it to refrain from doing something, or to do something, for the purpose of ending the contravention and achieving compliance, ensuring that the contravention is not repeated, and that compliance is maintained. The Deputy Registrar issues this Compliance Order (the “Order”) to ensure Butternut Manor Uxbridge Inc. (the “Licensee”) operating as Butternut Manor (the “Home”) comes into compliance and maintains compliance with the Act and Ontario Regulation 166/11 under the Act (the “Regulation”).

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

## CONTRAVENTION

The Deputy Registrar has reasonable grounds to believe that the Licensee is not in compliance with the following sections of the Act and Regulation

- Section 23(1)(a) & (b) of the Regulation – failing to develop and implement a written behaviour management strategy.
- Section 67(1) of the Act – failing to protect residents of the Home from abuse by anyone.
- Section 74(a)(i) of the Act – failing to immediately investigate every alleged, suspected or witnessed incident of abuse reported to the Licensee.

## **BRIEF SUMMARY OF FACTS**

On November 9, 2023, an RHRA inspector conducted an inspection at the Home, following a report alleging inappropriate behaviour by one resident towards another.

The resident who was the subject of the report had a history of inappropriate behaviour towards other residents, including entering resident rooms uninvited and non-consensual interactions with other residents. Despite that the home put a behaviour management plan in place, the resident's problematic behaviour continued. The Licensee did not respond to concerns about the resident appropriately, including failing to properly investigate alleged misconduct, and did not revise the behaviour management plan or implement effective behaviour management.

## **REQUIRED ACTION**

Pursuant to section 90 of the Act, the Deputy Registrar orders the Licensee to immediately comply with the following:

1. Within 90 days of the issuance of this Order ensure that all staff of the Home participate in a training session with third-party acceptable to the RHRA addressing strategies and interventions for residents exhibiting behaviours that pose a risk of harm to themselves or others. Provide documentation to the RHRA demonstrating that this training has been carried out.
2. Within 30 days of the issuance of this Order, ensure that all staff in the Home who have responsibilities to investigate alleged, suspected or witnessed abuse or neglect of residents participate in training from a third-party acceptable to the RHRA relating to proper practices and procedures when conducting an investigation.
3. Within 30 days of the issuance of this Order, consult a third-party acceptable to the RHRA with respect to Resident A's behavioural intervention plan to ensure that it contains appropriate strategies, techniques and interventions.
4. For a period of 12 months, conduct a month internal review of Resident A's monitoring tracking sheet to ensure that heightened behavioural monitoring is being conducted appropriately and that it is effective for the purpose of behaviour management, and submit the monitoring tracking sheet to the RHRA Compliance Monitor on a monthly basis.

All reports and documentation demonstrating compliance with the above-mentioned required actions must be submitted by email to the RHRA's Compliance Monitor at [enforcement@rhra.ca](mailto:enforcement@rhra.ca).

**Issued on May 24, 2024.**