
ADMINISTRATIVE PENALTY ORDER SUMMARY TO BE MADE AVAILABLE IN HOME

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

Oxford SC Lasalle Sudbury LP
o/a LaSalle Residence For Seniors
1758 LaSalle Boulevard
Sudbury, ON P3A 5W4

ADMINISTRATIVE PENALTY ORDER 2024-N0499-93-01 – LASALLE RESIDENCE FOR SENIORS

The Deputy Registrar of the Retirement Homes Regulatory Authority (the “Deputy Registrar” and the “RHRA”, respectively) has reasonable grounds to believe that Oxford SC Lasalle Sudbury LP (the “Licensee”) operating as LaSalle Residence For Seniors (the “Home”) has contravened sections of the *Retirement Homes Act, 2010* (the “Act”) and Ontario Regulation 166/11 (the “Regulation”).

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) – failing to protect residents of the Home from abuse by anyone
- Section 67(4) – failing to ensure compliance with the Home’s zero tolerance of abuse and neglect policy.
- Section 74(a)(i) – failing to immediately investigate an alleged incident or abuse of a resident of the Home.
- Section 75(1)(paragraph 2) – failing to immediately report suspected abuse to the Registrar.

BRIEF SUMMARY OF FACTS

The Licensee failed to promptly investigate and report to the RHRA, an allegation of verbal abuse involving a member of staff, despite several staff members being aware of the allegation.

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:

The severity of the adverse effect falls into the “major” category. Resident A experienced fear due to the alleged threats made by a staff member. The Licensee’s failure to promptly report and investigate the allegations of abuse likely resulted in Resident A having a sense of fear for a period of time.

b. Mitigation of Contravention:

Following the incident, the Licensee advised that staff received further training on prevention of resident abuse. However, during interviews with the RHRA, senior management for the Licensee dismissed the alleged incident of abuse. The training of staff does not demonstrate reflection into the fact that the Licensee’s senior management failed to take action on serious allegations of verbal abuse or indicate how that issue will be remedied. Because the Licensee appears to have lacked serious reflection in attempting to remediate this situation, this factor is neutral in calculating the amount of the administrative penalty.

c. Previous Contraventions:

The Licensee does not have a history of similar contraventions. This is a mitigating factor in the assessment of the amount 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:

The administrative penalty is required to maintain compliance with the Act and Regulation going forward and that future instances of this non-compliance will not be tolerated.

Issued on July 9, 2024.