

---

## **ADMINISTRATIVE PENALTY ORDER SUMMARY TO BE MADE AVAILABLE IN HOME**

---

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

---

10085189 Canada Inc.  
**Attention: Nigel Purai**  
348 Eastwood Avenue  
Crystal Beach, ON L0S 1B0

### **ADMINISTRATIVE PENALTY ORDER 2024-01629-93-01**

The Deputy Registrar of the Retirement Homes Regulatory Authority (the “Deputy Registrar” and the “RHRA”, respectively) has reasonable grounds to believe that 10085189 Canada Inc. (the “Operator”) is operating an unlicensed retirement home, as defined by the Act at the property known as Eastwood Manor, located at 348 Eastwood Avenue, Crystal Beach, Ontario, L0S 1B0 (the “Home”).

The Deputy Registrar issues this Order to Pay an Administrative Penalty under section 93 of the Act.

### **CONTRAVENTION**

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

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

### **BRIEF SUMMARY OF FACTS**

The RHRA conducted an inspection of the Home on June 28, 2024, pursuant to section 77(2) of the Act. Based on their findings during the inspection, the RHRA determined that:

- The Home is occupied primarily by persons who are 65 years or older: the Home has 16 residents, 11 of whom are over the age of 65.
- There is no evidence that residents are related to the Operator of the Home.
- The Home makes available, directly or indirectly, at least two care services, which includes administration of drugs or another substance and the provision of meals, and possibly the services of a physician or other regulated health professional.

## **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 effect of operating a retirement home without a licence deprives residents of protections and safeguards under the Act and Regulation and puts residents at risk of harm. This puts the contravention in the major category of severity.

b) **Mitigation of Contravention:**

There is no evidence that the Operator has mitigated the adverse effects of operating an unlicensed home. It is not clear how the Operator could mitigate the lack of regulatory oversight.

c) **Previous Contraventions:**

The Operator was previously issued an administrative penalty order for operating an unlicensed retirement home, which is a significant factor in favour of a higher monetary penalty.

d) **Economic Benefit:**

The Operator derived an economic benefit from operating a retirement home without a license in that it has made money by operating a retirement home but has not had to pay licensing fees or ensure that any other regulatory requirements were in place.

**Issued on September 10, 2024.**