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# ADMINISTRATIVE PENALTY ORDER SUMMARY TO BE MADE AVAILABLE IN HOME

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

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2868928 Ontario Inc.  
o/a Trillium Norwich  
25 Main Street E.  
Norwich, ON N0J 1P0

## ADMINISTRATIVE PENALTY ORDER 2024-S0539-93-01 – TRILLIUM NORWICH

The Deputy Registrar of the Retirement Homes Regulatory Authority (the “Deputy Registrar” and the “RHRA”, respectively) has reasonable grounds to believe that 2868928 Ontario Inc. (the “Licensee”) operating as Trillium Norwich (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 and Regulation:

- Section 118 of the Act – as a result of a staff at the Home knowingly providing false or misleading information to an RHRA inspector.
- Section 19(1) of the Regulation – failure to ensure that a maintenance program is in place to ensure that the Home and its operational systems are maintained in good repair.

### BRIEF SUMMARY OF FACTS

During an RHRA inspection conducted at the Home on July 23, 2024, the Licensee’s staff provided false or misleading information about the steps that had been taken to fix the Home’s sole elevator. The Licensee did not have a maintenance program in place to ensure that timely and reasonable steps are taken to maintain the Home and its operational systems in good repair.

## **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:**

Management of the Home knowingly provided false or misleading information to an inspector regarding the steps that had been taken to repair an inoperable elevator which indicates a lack of accountability that jeopardizes resident safety and well-being. The Licensee did not take timely action to repair the elevator. The potential adverse effect falls into the “major” range.

b) **Mitigation of Contravention:**

The Licensee did not take reasonable and timely steps to maintain the Home's elevator in good repair. The Licensee has since taken action to mitigate the contravention and repair the elevator and advised that a service contract for ongoing maintenance will be established. The Licensee advised that steps are being taken to ensure information provided by the Home's management is accurate and reliable but did not set out what those steps are or how the Licensee would confirm they have been effective. The corrective action to repair the elevator and implement a maintenance protocol is a mitigating factor in the assessment of the amount of the quantum of the penalty.

c) **Previous Contraventions:**

The Licensee has not previously been cited with providing false or misleading information. This is a mitigating 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:**

The administrative penalty is intended to encourage the Licensee to maintain compliance with the Act and Regulations going forward and to emphasize the importance of preventing future instances of non-compliance.

**Issued on October 10, 2024.**