

Interior Health Authority
Child Care – Unlawful – Licensing
Summary Report of Substantiated Complaint

<p>Facility Name Kimberley Anderson</p> <p>Facility Address 254 Evans Ave Kamloops BC V2B 1J9</p>	<p>Facility # F-2021-42751</p> <p>Facility Phone (250) 574-9514</p> <p>Licensee Kimberley Anderson</p> <p>Manager Kimberley Anderson</p>
<p>Inspection Date 23-Feb-2021</p>	
<p>Reason for Investigation Substantiated complaint</p>	
<p>Service Type Unlawful facility</p>	<p>Maximum Capacity N/A</p>

Report of Findings

As per Section 15 (1)(b)(i) of the Community Care and Assisted Living Act, Licensing is mandated to follow up on all complaints of any premise that is operating an unlicensed community care facility. The purpose of this inspection is to follow up a complaint received by Licensing on February 23, 2021. The complaint involved allegations of noncompliance to the following sections of the Community Care and Assisted Living Act –Section 1: Definitions -“community care facility” means a premises or part of a premises in which a person provides care to 3 or more persons who are not related by blood or marriage to the person and includes any other premises or part of a premises that, in the opinion of the medical health officer, is used in conjunction with the community care facility for the purpose of providing care; Section 5: Operating or advertising without a licence - A person who does not hold a licence must not (a) operate, or hold themselves out as operating, a community care facility, (b) provide, or hold themselves out as providing, care in a community care facility, or (c) accommodate, or hold themselves out as accommodating, a person who, in the opinion of a medical health officer, requires care in a community care facility.

Based on the information provided by the occupant, at the time of the telephone interview, which included a statement that more than two children not related by blood or marriage to the occupant were receiving care at one time; it has been confirmed that a contravention of Section 5 of the Community Care and Assisted Living Act has occurred at 254 Evans Avenue, Kamloops, BC. Contravention to Section 5 may be subject to actions as outlined in Section 33 of the Community Care and Assisted Living Act, which states: Offence and penalty -33 (1) A person who contravenes section 5, 6, 18 (2) or (3) or 26 (1) of this Act or a term or condition attached to a licence commits an offence. (2) A person who commits an offence under subsection (1) is liable to a fine of up to \$10, 000. (3) If an offence under subsection (1) is of a continuing nature, each day that the offence continues constitutes a separate offence. Only issues of non-compliance relating to the unlawful operation are detailed in the body of this inspection report.

Immediate compliance to Section 5 of the Community Care and Assisted Living Act is required. Written confirmation was received on February 26, 2021, stating that the occupant of the home has reduced the number of children being cared for in order to be in compliance.

Observed Contraventions

Evidence for this report was based on a combination of the Licensing Officer’s observations, a review of facility records and information provided by the facility staff at the time of the complaint investigation, as appropriate.

CI1 - Initial

CI1.7 - Is the facility operating legally under the Act?

No

Follow up by: 3/9/2021 12:00:00 AM

During a telephone interview with the occupant of the home it was confirmed that the occupant was caring for more than two children not related by blood or marriage to her, at one time.

- CI1.7A - A person must not operate or hold themselves out as operating a community care facility. Act(5)(a)
- CI1.7B - A person must not provide or hold themselves out as providing care in a community care facility. Act(5)(b)
- CI1.7C - A person must not accommodate or hold themselves out as accommodating a person who requires care in a community care facility. Act(5)(c)

Received By:

Inspector:

Kimberley Anderson

Jennifer Turnbull, Licensing Officer

Follow up date, if required