Interior Health
Every person matters

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

Facility Name	**Facility #**
Candice Smith	F-2019-38234

Facility Address	**Facility Phone**
425 Cottonwood Street Chase BC V0E 1M1 Canada	

Licensee	**Manager**
Candice Smith	Candice Smith

Inspection Date
18 November, 2019

Reason for Investigation
Substantiated complaint

Service Type	**Maximum Capacity**

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 November 12, 2019.

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 licensing officer's observations, a review of the facility records and information provided by the individuals present at the time of inspection, it has been confirmed that a contravention of Section 5 of the Community Care and Assisted Living Act has occurred at 425 Cottonwood Street, Chase, 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 detailing how you have ensured compliance with Section 5 of the Act and its applicable regulations must be submitted to licensingdirect@interiorhealth.ca prior to Monday November 25, 2019 at 9:00am.

Observed Contraventions

Evidence for this report was based 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**

Based on the licensing officer's observations and information gathered during the investigation, it is confirmed the individual is providing unlicensed care for up to six children at one time.

  - CI1.7B - A person must not provide or hold themselves out as providing care in a community care facility. Act(5)(b)

Action(s) Required by Operator :

- Operator to immediately reduce number of children or persons in receiving care to as per the requirements of the

- Operator to submit written confirmation that they understand the requirements of the CCALA regarding the number of persons they may provide care to without a

Candice Smith

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licence

Action(s) Required by Licensing Office :

- Conduct follow up inspection to confirm ongoing compliance

Closing Comments:

Received By:

Inspector:

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_____

Candice Smith

Amber Murray

Follow up date, if required