

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

Facility Name Sorrento Centre Retreat and Conference Centre		Facility # F-2019-34997	
Facility Address 1159 Paschendaele Road Sorrento BC V0E 2W0 Canada		Facility Phone (250) 675-2421 x 105	
		Licensee Melissa Green	Manager
Inspection Date 26 March, 2019			
Reason for Investigation Substantiated complaint			
Service Type Unlawful facility		Maximum Capacity N/A	

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 14, 2019.

The complaint involved allegations of noncompliance to the following sections of the Community Care and Assisted Living Act (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 1159 Passchendaele Road, Sorrento 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 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 must be submitted to licensingdirect@interiorhealth.ca prior to April 26, 2019.

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.

C11 - Initial

C11.7 - Is the facility operating legally under the Act?

CDI **No**

Licensing acknowledges that the contravening program does not currently operate, and that the Sorrento Centre board will be deciding in the near future whether the program offered will be adjusted to be in compliance with the legislation, or an application will be submitted to Licensing for processing.

- C11.7A - A person must not operate or hold themselves out as operating a community care facility. Act(5)(a)
- C11.7B - A person must not provide or hold themselves out as providing care in a community care facility. Act(5)(b)
- C11.7C - A person must not accommodate or hold themselves out as accommodating a person who requires care in a community care facility. Act(5)(c)

Action(s) Required by Operator :

- 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

UNLAWFUL

Sorrento Centre Retreat and Conference Centre
Facility # F-2019-34997

Child Care – Unlawful – Licensing

licence

Action(s) Required by Licensing Office :

- Conduct follow up inspection to confirm ongoing compliance

Received By:

Inspector:

Melissa Green

Jennifer Turnbull, Licensing Officer

Follow up date, if required