

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

<p><b>Facility Name</b> Christina Begagne</p> <p><b>Facility Address</b> 173 Hemlock Rd Sparwood BC V0B 2G0</p>	<p><b>Facility #</b> F-2021-42569</p> <p><b>Facility Phone</b> (250) 910-7066</p> <table border="0"> <tr> <td><b>Licensee</b></td> <td><b>Manager</b></td> </tr> <tr> <td>Christina Begagne</td> <td>Christina Begagne</td> </tr> </table>	<b>Licensee</b>	<b>Manager</b>	Christina Begagne	Christina Begagne
<b>Licensee</b>	<b>Manager</b>				
Christina Begagne	Christina Begagne				
<p><b>Inspection Date</b> 02-Feb-2021</p>					
<p><b>Reason for Investigation</b> Substantiated complaint</p>					
<p><b>Service Type</b> Unlawful facility</p>	<p><b>Maximum Capacity</b> 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 19th January 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 licensing officer’s telephone discussion with the care provider, it has been confirmed that a contravention of Section 5 of the Community Care and Assisted Living Act has occurred at 173 Hemlock Rd, Sparwood, BC, V0B 2G0.

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.

## 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

Information was received from the Affordable Child Care Benefit (ACCB) program that care that requires a licence may be occurring at 173 Hemlock Rd Sparwood BC. The Investigating Licensing Officer conducted an interview via telephone with the care provider on 2nd February 2021. During this call the care provider confirmed that care was being provided for two children during the day and occasionally an additional two school age children 2 hours after school for a total of 4 children. The care provider confirmed that a representative from the ACCB had been in contact who had indicated that no more than two children can be cared for without a licence. The care provider stated that as soon as this information was received, care for the two school age children ceased immediately.

- 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)

**Christina Begagne**

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*- 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)*

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**Closing Comments:**

**Received By:**

**Inspector:**

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Christina Begagne

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Michelle Cushway, Licensing Officer

**Follow up date, if required**