

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

Facility Name Kimberly Kimble	Licence # F-2024-53937
Facility Address 2598 Tupela Dr Kamloops BC V2B 6V9	Facility Phone (778) 257-0027
	Licensee Kimberly Ann Kimble
	Manager Kimberly Ann Kimble
Inspection Date 04-Oct-2024	
Reason for Inspection 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 information of any premise that is operating an unlicensed community care facility. The purpose of this inspection is to follow up on information received by Licensing on October 3, 2024.

The information was provided to Licensing by the operator and outlined issues of non compliance 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 and information provided by the individuals present at the time of inspection, it has been confirmed that a contravention to Section 5 of the Community Care and Assisted Living Act has occurred at 2598 Tupela Drive, 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.

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: 10/11/2024 12:00:00 AM

At the time of inspection there were two children present. The operator stated that one additional child was expected to arrive shortly. The operator confirmed that none of the children are siblings and they are not related to her in any way. The operator also confirmed that care was provided at this premises to these three children on several occasions from mid September 2024 and daily from October 1-3, 2024.

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 3am on October 4, 2024.

- 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)

Action(s) Required by Licensing Office :

- Conduct follow up inspection to confirm ongoing compliance

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

- Operator to submit written confirmation to Licensing Office that they have reduced the number of children or persons in receiving care to as per the requirements of the CCALA.

Closing Comments:

Received By:

Inspector:

Kimberly Ann Kimble

Lindsay Hemlow, Licensing Officer

Follow up date, if required