RHRA Retirement Homes Regulatory Authority

Conviction Summary
Operator: In Touch Retirement Living for Vegetarians/Vegans Inc.
Home Premises: 64 King Street, Toronto, Ontario M9N 1L3
Operator Number: T0183 (Refused)
Summary: On March 11, 2015, Ms. Elaine Lindo was convicted in Provincial Court of operating a retirement home, (variously known as "In Touch Retirement Living", "Rosemount Place" or the "Brick House", at 64 King Street, Toronto [Weston]) without a licence. The Registrar of the Retirement Homes Regulatory Authority (RHRA), which regulates retirement homes in Ontario, had refused to issue Ms. Lindo a licence to operate a retirement home in July 2013. Ms. Lindo appealed this decision to the Licence Appeal Tribunal (Tribunal), which confirmed the Registrar's decision on November 12, 2013. In its decision, the Tribunal summarized the Registrar's concerns relating to the home, including abuse and/or neglect of residents, a lack of required policies and procedures and staff training in basic policies and procedures, misleading information given by Ms. Lindo to the RHRA, and failure to pay fees. On May 15, 2014, the RHRA charged Ms. Lindo with operating a retirement home without a licence, contrary to section 33 of the *Retirement Homes Act, 2010* (Act). The trial took place in Provincial Court on February 25 and 26, 2015, and March 11, 2015, and resulted in Ms. Lindo's conviction. Ms. Lindo was sentenced to 15 days' imprisonment, a fine of $2,500, and a probation order. The probation order is for a term of two years, and includes the requirement that Ms. Lindo shall not commit the same offence, or any related or similar offence. This means that Ms. Lindo, as a term of the probation order, shall not operate a retirement home without a licence. Under the Act, a "retirement home" is a residential complex or the part of a residential complex that is occupied primarily by persons who are 65 years of age or older, that is occupied or intended to be occupied by at least six persons who are not related to the operator of the home, and where the operator of the home makes at least two care services available, directly or indirectly, to the residents. The probation order also prohibits Ms. Lindo from admitting any residents over the age of 65 to her facility, and requires regular reporting of resident information and care services to the RHRA for the term of the probation order.