RHRA Retirement Homes Regulatory Authority

ADMINISTRATIVE PENALTY ORDER SUMMARY TO BE MADE AVAILABLE IN HOME

Pursuant to the *Retirement Homes Act, 2010* S.O. 2010, Chapter 11, section 93.

Muskoka Hills Retirement Villa Inc.
o/a Muskoka Hills Retirement Villa Inc.
690 Muskoka Road
Hwy #118 W. RR1, Bracebridge, ON P1L 1W8

ADMINISTRATIVE PENALTY ORDER 2025-N0360-93-02

The Deputy Registrar of the Retirement Homes Regulatory Authority (the "Deputy Registrar" and the "RHRA", respectively) has reasonable grounds to believe that Muskoka Hills Retirement Villa Inc. (the "Licensee") operating as Muskoka Hills Retirement Villa Inc. (the "Home") has contravened sections of the *Retirement Homes Act, 2010* (the "Act").

The Deputy Registrar issues this Order to Pay an Administrative Penalty under section 93 of the Act to encourage the Licensee to comply with the requirements under the Act and Regulation.

CONTRAVENTIONS

The Deputy Registrar has reasonable grounds to believe that the Licensee contravened the following sections of the Act:

- Section 67(1) of the Act by failing to protect residents of the Home from abuse by anyone.
- Section 74(a)(ii) of the Act by failing to ensure that every alleged, suspected or witnessed incident of neglect of a resident of the home by the licensee or the staff of the home is immediately investigated.
- Section 75(1) para 3, of the Act by failing to immediately report suspected unlawful conduct that resulted in risk of harm to a resident to the Registrar.

BRIEF SUMMARY OF FACTS

During an RHRA investigation of the Home commenced on February 21, 2024, and an inspection of the Home conducted on September 17, 2024, the RHRA determined that the Licensee did not protect residents of the Home from verbal and financial abuse, did not appropriately respond to incidents of alleged wrongdoing, and did not report certain matters to the Registrar as required.

There are reasonable grounds to believe that staff at the Home have communicated to residents in ways that have been threatening, intimidating, belittling, or degrading.

ADMINISTRATIVE PENALTY FACTORS

The Deputy Registrar considered the factors contained in subsection 60.1(1) of the Regulation in determining the amount of the Administrative Penalty:

a. **Severity of Adverse Effect / Potential Adverse Effect:** The cumulative severity of adverse effect was high. Over the course of an investigation and inspection, the RHRA determined that at least six residents of the Home experienced some form of abusive behaviours including feeling belittled and intimidated by staff and of having personal possessions taken by staff without consent. Several residents, their health care providers, powers of attorney, and former and current staff of the Home have voiced ongoing concerns in this respect. There appears to be a pattern of inappropriate conduct towards residents of the Home, and for these reasons, the contraventions fall into the major range.

b. **Mitigation of Contravention:** In response to the findings of the inspection, the Licensee advised that a staff member received additional training on various abuse prevention topics and effective communication, and that all residents were given a memo encouraging them to report suggestions or concerns to the Home. Beyond these actions, the Licensee has not demonstrated insight into the root cause of these issues or how it will avoid them going forward. These factors are neutral in determining the amount of the monetary penalty.

c. **Previous Contraventions:** The Licensee has contravened section 67(1); protection against abuse of the Act at three previous RHRA inspections; October 28, 2022, March 7, 2024, and September 17, 2024. The Licensee has a history of repeat non-compliance with respect to abuse provisions and has a history of enforcement action with the RHRA. Further, as part of the Licensee's previous Compliance Order, the Home was required to participate in Elder Abuse Prevention Training, and despite this training, inappropriate conduct by staff persists. Further, the Licensee was previously issued an Administrative Penalty Order for emotional abuse due to the implementation of a restrictive visitor policy causing resident social isolation. These factors serve to increase the quantum of the monetary penalty as the Licensee has demonstrated a pattern of repeat non-compliance.

d. **Economic Benefit:** The Licensee did not derive an economic benefit from its non-compliance with the Act and so this factor is neutral.

e. **Purpose of Administrative Penalty:** The purpose of the administrative penalty is to encourage the Licensee to achieve and maintain compliance. The issuance and quantum of the penalty is warranted in light of the reasons and factors outlined above. The penalty is intended to encourage the Licensee to foster a culture of care and respect in the Home.

Issued on June 25, 2025.