

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

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|---|--|-----------------|----------------|-----------------------|-----------------------|
| <p>Facility Name Arianna Milhet Charon</p> <p>Facility Address 1301 2A Ave S Cranbrook BC V1C 2B6</p> | <p>Facility # F-2021-43539</p> <p>Facility Phone (250) 426-6466</p> <table border="0"> <tr> <td>Licensee</td> <td>Manager</td> </tr> <tr> <td>Arianna Milhet Charon</td> <td>Arianna Milhet Charon</td> </tr> </table> | Licensee | Manager | Arianna Milhet Charon | Arianna Milhet Charon |
| Licensee | Manager | | | | |
| Arianna Milhet Charon | Arianna Milhet Charon | | | | |
| <p>Inspection Date 02-Jun-2021</p> | | | | | |
| <p>Reason for Investigation Substantiated complaint</p> | | | | | |
| <p align="center">Service Type</p> | <p align="center">Maximum Capacity</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 May 31, 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 information provided by the individual, it has been confirmed that a contravention of Section 5 of the Community Care and Assisted Living Act has occurred at 1301 2nd A Ave S Cranbrook, BC V1C 2B6.

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.

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 June 1, 2021 at 3:00 pm.

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: 6/3/2021 12:00:00 AM

Licensing received information alleging that child care was being provided to more than two unrelated children or one sibling group at one time, without a licence.

When the individual was contacted, they advised that care is being provided to three- one year old children who are not related by blood or marriage. Two children attend full time and a third child attends one to three days a week. It is reported that these services have been provided to the same three children since late February 2021.

A letter was sent to the individual requesting a written response by June 1, 2021 at 3:00 pm describing how they have come into compliance.

- 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 Operator :

Facility # F-2021-43539

- 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.

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

Received By:

Inspector:

Arianna Milhet Charon

Michelle Page, Licensing Officer

Follow up date, if required