

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

Facility Name Krista Sawatsky		Facility # F-2022-47612	
Facility Address 7708 Cunliffe Rd Coldstream BC V1B 1T4		Facility Phone (250) 306-2499	
		Licensee Krista Sawatsky	Manager Krista Sawatsky
Inspection Date 04-Oct-2022			
Reason for Investigation Substantiated complaint			
Service Type Unlawful facility		Maximum Capacity N/A	
Report of Findings <p>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 September 22, 2022. 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.</p> <p>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 of Section 5 of the Community Care and Assisted Living Act has occurred at 7708 Cunliffe Road, Coldstream B.C. 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.</p>			

Observed Contraventions

Evidence for this report was based on a combination of the Licensing Officer’s observations, a review of facility records
F-2022-47612

and information provided by the facility staff at the time of the complaint investigation, as appropriate.

C11 - Initial

C11.7 - Is the facility operating legally under the Act?

No

Follow up by: 10/21/2022 12:00:00 AM

The Licensing Officer visited the residence and observed three children playing outside in the front yard near the alleged child care provider.

The child care provider informed the Licensing Officer that she was providing after school care to the three children at the time of the inspection. The children were not siblings and not related by blood or marriage to the child care provider.

The child care provider informed the Licensing Officer that she has been providing child care for up to six children after school, Monday through Thursday, since the beginning of the school year (September 2022).

- Substantiated

- C11.7A - A person must not operate or hold themselves out as operating a community care facility. Act(5)(a)

- C11.7B - A person must not provide or hold themselves out as providing care in a community care facility. Act(5)(b)

- 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)

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.

Received By:

Inspector:

Krista Sawatsky

Chere Lane, Licensing Officer

Follow up date, if required