

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

<p>Facility Name Danika Harnett (Koch)</p> <p>Facility Address 1502 30th Ave Vernon BC V1T 2A1</p>	<p>Facility # F-2024-54358</p> <p>Facility Phone</p> <p>Licensee Manager</p>
<p>Inspection Date 22-Nov-2024</p>	
<p>Reason for Investigation Substantiated complaint</p>	
<p>Service Type Unlawful facility</p>	<p>Maximum Capacity N/A</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 29-Oct-2024.

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 written and verbal statements provided by multiple sources, as well as photographic evidence received by Licensing, it has been confirmed that a contravention to Section 5 of the Community Care and Assisted Living Act has occurred at 1502 30 Ave, Vernon, BC. Specifically, the evidence obtained by Licensing confirmed that the operator knowingly provided care to more than 2 children at one time who were not related to her by blood or marriage.

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.

C11 - Initial

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

No

Follow up by: 12/2/2024 12:00:00 AM

The investigating Licensing Officer received and reviewed evidence including documentation, photographic content, and social media posts. Based on the evidence received, it has been determined that the operator provided care to more than 2 children who were not related to the operator by blood or marriage.

- 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)

Received By:

Inspector:

Danika Harnett (Koch)

Harmanpreet Kaur, Licensing Officer

Follow up date, if required