

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

<p><b>Facility Name</b> Rebekah O'Hara</p> <p><b>Facility Address</b> 2908 9 Ave Castlegar BC V1N 2Z1</p>	<p><b>Licence #</b> F-2024-54573</p> <p><b>Facility Phone</b> (250) 304-8370</p> <p><b>Licensee</b> Rebekah O'Hara</p> <p><b>Manager</b> Rebekah O'Hara</p>
<p><b>Inspection Date</b> 17-Dec-2024</p>	
<p><b>Reason for Inspection</b> Substantiated complaint</p>	
<p><b>Service Type</b> Unlawful facility</p>	<p><b>Maximum Capacity</b> 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 December 12, 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 the licensing officer's observations, and information provided by the individuals present at the time of inspection, it has been confirmed that a contravention to Section 5 of the Community Care and Assisted Living Act has occurred at 2908 9th Avenue, Castlegar, BC.

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](mailto:licensingdirect@interiorhealth.ca) by 8:00AM, Wednesday, December 18, 2024 .

## 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: 12/18/2024 12:00:00 AM**

It was alleged that care that requires a licence was being provided at the address identified in this report. A Licensing Officer attended the premises, where the occupant admitted to the Licensing Officer to having 3 children in their care who were not related to them by blood or marriage. The Licensing Officer observed one preschool-aged child playing in the living room, and was told by the occupant that two additional children were napping. Caring for 3 or more children at a time, who are not related to the occupant by blood or marriage, is in contravention to the Community Care and Assisted Living Act. A compliance plan was received by Licensing in response to the Supplementary Report provided to the care provider at the time of the inspection and prior to the creation of this report. The compliance plan is effective immediately.

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

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- 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)
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Received By:

Inspector:

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Rebekah O'Hara

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Cathy Paton, Licensing Officer

**Follow up date, if required**