



**Ministry of Health and  
Long-Term Care**

**Inspection Report under  
the Long-Term Care  
Homes Act, 2007**

**Ministère de la Santé et des  
Soins de longue durée**

**Rapport d'inspection sous la  
Loi de 2007 sur les foyers de  
soins de longue durée**

**Long-Term Care Homes Division  
Long-Term Care Inspections Branch**

**Division des foyers de soins de  
longue durée  
Inspection de soins de longue durée**

Toronto Service Area Office  
5700 Yonge Street 5th Floor  
TORONTO ON M2M 4K5  
Telephone: (416) 325-9660  
Facsimile: (416) 327-4486

Bureau régional de services de  
Toronto  
5700 rue Yonge 5e étage  
TORONTO ON M2M 4K5  
Téléphone: (416) 325-9660  
Télécopieur: (416) 327-4486

**Public Copy/Copie du public**

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<b>Report Date(s) / Date(s) du rapport</b>	<b>Inspection No / No de l'inspection</b>	<b>Log # / No de registre</b>	<b>Type of Inspection / Genre d'inspection</b>
Jan 8, 2018	2018_493652_0001	000014-18	Complaint

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**Licensee/Titulaire de permis**

City of Toronto  
55 JOHN STREET METRO HALL, 11th FLOOR TORONTO ON M5V 3C6

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**Long-Term Care Home/Foyer de soins de longue durée**

FUDGER HOUSE  
439 SHERBOURNE STREET TORONTO ON M4X 1K6

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**Name of Inspector(s)/Nom de l'inspecteur ou des inspecteurs**

NATALIE MOLIN (652)

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**Inspection Summary/Résumé de l'inspection**

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**The purpose of this inspection was to conduct a Complaint inspection.**

**This inspection was conducted on the following date(s): January 3 and 4, 2018**

**The Ministry of Health and Long Term care (MOHLTC) inspected a complaint related to the building temperatures on an identified date.**

**During the course of the inspection, the inspector conducted a tour of the home; observed the building temperatures in the home which included random residents' rooms; observed the assessment of the Indoor Air Temperatures in random resident's room; conducted records review, reviewed the home's policy for preventative maintenance routine, work requisitions, heating contractor's work logs and orders and Indoor Air temperature logs.**

**During the course of the inspection, the inspector(s) spoke with practical care aides (PCA), registered staff, custodian, Building Services Manager, Assistant Administrator**

**The following Inspection Protocols were used during this inspection:  
Safe and Secure Home**

**During the course of this inspection, Non-Compliances were issued.**

**1 WN(s)**

**0 VPC(s)**

**1 CO(s)**

**0 DR(s)**

**0 WAO(s)**

**NON-COMPLIANCE / NON - RESPECT DES EXIGENCES**

<p>Legend</p> <p>WN – Written Notification VPC – Voluntary Plan of Correction DR – Director Referral CO – Compliance Order WAO – Work and Activity Order</p>	<p>Legendé</p> <p>WN – Avis écrit VPC – Plan de redressement volontaire DR – Aiguillage au directeur CO – Ordre de conformité WAO – Ordres : travaux et activités</p>
<p>Non-compliance with requirements under the Long-Term Care Homes Act, 2007 (LTCHA) was found. (a requirement under the LTCHA includes the requirements contained in the items listed in the definition of "requirement under this Act" in subsection 2(1) of the LTCHA).</p> <p>The following constitutes written notification of non-compliance under paragraph 1 of section 152 of the LTCHA.</p>	<p>Le non-respect des exigences de la Loi de 2007 sur les foyers de soins de longue durée (LFSLD) a été constaté. (une exigence de la loi comprend les exigences qui font partie des éléments énumérés dans la définition de « exigence prévue par la présente loi », au paragraphe 2(1) de la LFSLD.</p> <p>Ce qui suit constitue un avis écrit de non-respect aux termes du paragraphe 1 de l'article 152 de la LFSLD.</p>

**WN #1: The Licensee has failed to comply with O.Reg 79/10, s. 21. Every licensee of a long-term care home shall ensure that the home is maintained at a minimum temperature of 22 degrees Celsius. O. Reg. 79/10, s. 21.**

**Findings/Faits saillants :**

1. The licensee has failed to ensure that the temperature in the home maintained at a minimum of 22 degrees Celsius O. Reg. 79/10, s. 21.

Review of an identified intake number revealed the MOHLTC received a complaint on an identified date, related to building temperatures.



During the tour of the home on identified dates, it was observed that two identified units experienced colder temperatures compared to other units in the home.

The inspector observed staff #101 assess the air temperatures in random residents' room on an identified unit, and on an identified date and time. This assessment revealed, six rooms had temperature readings below the required 22 degrees Celsius.

- Room 108: 21.0
- Room 114: 21.0
- Room 106: 21.0
- Room 109: 21.0
- Room 104: 19 .0
- Room 118: 21.3

Record review of the homes' Indoor Air Temperature Logs for an identified period revealed, indoor air temperature assessments had not been conducted and logged on any days during that period.

Record review of the homes' heating system contractor's work order on an identified date, revealed there was a problem with the heating in the home. The HVAC system has been replaced.

Record review of an identified report for an identified date and time, revealed resident #108 complained his/her room was so cold.

The homes uses a requisition form to communicate and address issues of this nature. A requisition form on an identified date, revealed an identified unit was very cold and water was cold.

Record review of the homes' policy titled "Preventive Maintenance Routines" published on an identified date, revealed there is no evidence to support who is responsible for assessing and recording the random air temperatures in the building and the residents' room and also in the absence of that individual.

Interviews with residents #106, #107 and #108 revealed the temperatures in their rooms and on the units were very cold at least four days over an identified period. Resident #106 mentioned during the interview he/she was shaking as a result of the coldness. Resident #108 revealed he/she preferred not to stay in his/her room and was observed



refusing to go to his/her room due to the cold temperature of the room.

Interview with staff #101 revealed the Air temperature assessments and logs were not completed for an identified period. Staff #101 also revealed he/she was unaware of the designate responsible for performing this task during his/her absence.

Interviews with staff #100, #102, #103, #104, #105, and #111 revealed identified units has had very cold temperatures over an identified period, and residents on both units did verbalized the their room temperatures were told cold during this period.

Interviews with the Building Services Manager revealed the home has been experiencing cold temperatures in the building. He/she also revealed the expectation is that air temperatures measurements should have been completed and recorded for an identified period. The Building Manager also revealed a part of the daily assignment for the housekeeping staff on the day shift on weekends and Holidays was to take air temperatures in random areas and log onto the paper based Indoor Air Temperatures log Sheet. There is no evidence to support that this task has been performed.

Interviews with the Assistant Administrator revealed the home has been experiencing cold temperatures in the building. He/she also revealed the expectation is that air temperatures assessments should have been completed and recorded for an identified period.

The severity of the non-compliance and the severity of the harm were potential for harm or actual risk as it relates to residents #106, #107 and # 108. The scope of the non-compliance was pattern. A review of the compliance history revealed that there was previous unrelated non-compliance. As a result of the severity, scope and the licensee's previous compliance history, a compliance order is warranted. [s. 21.].

***Additional Required Actions:***

***CO # - 001 will be served on the licensee. Refer to the "Order(s) of the Inspector".***



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soins de longue durée**

**Issued on this 9th day of January, 2018**

**Signature of Inspector(s)/Signature de l'inspecteur ou des inspecteurs**

**Original report signed by the inspector.**



**Ministry of Health and  
Long-Term Care**

**Ministère de la Santé et  
des Soins de longue durée**

**Order(s) of the Inspector**

Pursuant to section 153 and/or  
section 154 of the *Long-Term Care  
Homes Act, 2007, S.O. 2007, c.8*

**Ordre(s) de l'inspecteur**

Aux termes de l'article 153 et/ou  
de l'article 154 de la *Loi de 2007 sur les foyers  
de soins de longue durée, L.O. 2007, chap. 8*

**Long-Term Care Homes Division  
Long-Term Care Inspections Branch**

**Division des foyers de soins de longue durée  
Inspection de soins de longue durée**

**Public Copy/Copie du public**

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**Name of Inspector (ID #) /**

**Nom de l'inspecteur (No) :** NATALIE MOLIN (652)

**Inspection No. /**

**No de l'inspection :** 2018\_493652\_0001

**Log No. /**

**No de registre :** 000014-18

**Type of Inspection /**

**Genre d'inspection:** Complaint

**Report Date(s) /**

**Date(s) du Rapport :** Jan 8, 2018

**Licensee /**

**Titulaire de permis :** City of Toronto  
55 JOHN STREET, METRO HALL, 11th FLOOR,  
TORONTO, ON, M5V-3C6

**LTC Home /**

**Foyer de SLD :** FUDGER HOUSE  
439 SHERBOURNE STREET, TORONTO, ON,  
M4X-1K6

**Name of Administrator /**

**Nom de l'administratrice**

**ou de l'administrateur :** Lorraine Siu

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To City of Toronto, you are hereby required to comply with the following order(s) by the date(s) set out below:



**Order(s) of the Inspector**

Pursuant to section 153 and/or  
section 154 of the *Long-Term Care  
Homes Act, 2007, S.O. 2007, c.8*

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de soins de longue durée, L.O. 2007, chap. 8*

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**Order # /**

**Ordre no :** 001

**Order Type /**

**Genre d'ordre :** Compliance Orders, s. 153. (1) (b)

**Pursuant to / Aux termes de :**

O.Reg 79/10, s. 21. Every licensee of a long-term care home shall ensure that the home is maintained at a minimum temperature of 22 degrees Celsius. O. Reg. 79/10, s. 21.

**Order / Ordre :**

Upon receipt of this report the licensee shall prepare a plan to ensure that the home is maintained at a minimum temperature of 22 degrees Celsius.

The plan should include, but not limited to ensure the following:

1. Indoor Air Temperature assessments are conducted in the building and residents' room and that the temperatures are logged.
2. To immediately ensure the designate in the absence of the custodian are assessing the Indoor Air Temperatures and that the temperatures are logged.
3. To ensure there is a designated location where the Indoor Air temperature logs are kept to ensure accessibility to the house Keeping staff responsible for this assessment on the weekends and holidays.
4. To ensure the preventative maintenance routine policy provide clear directions on the role and responsibilities of the person assigned to conduct the Indoor Air temperatures and the designate responsible in the absence of the custodian.

This plan is to be submitted via email to [inspector.natalie.molin@ontario.ca](mailto:inspector.natalie.molin@ontario.ca) by January 15, 2018..

**Grounds / Motifs :**

1. The licensee has failed to ensure that the temperature in the home maintained at a minimum of 22 degrees Celsius O. Reg. 79/10, s. 21.

Review of an identified intake number revealed the MOHLTC received a



complaint on an identified date, related to building temperatures.

During the tour of the home on identified dates, it was observed that two identified units experienced colder temperatures compared to other units in the home.

The inspector observed staff #101 assess the air temperatures in random residents' room on an identified unit, and on an identified date and time. This assessment revealed, six rooms had temperature readings below the required 22 degrees Celsius.

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The homes uses a requisition form to communicate and address issues of this nature. A requisition form on an identified date, revealed an identified unit was very cold and water was cold.

Record review of the homes' policy titled "Preventive Maintenance Routines" published on an identified date, revealed there is no evidence to support who is responsible for assessing and recording the random air temperatures in the building and the residents' room and also in the absence of that individual.

Interviews with residents #106, #107 and #108 revealed the temperatures in their rooms and on the units were very cold at least four days over an identified period. Resident #106 mentioned during the interview he/she was shaking as a

result of the coldness. Resident #108 revealed he/she preferred not to stay in his/her room and was observed refusing to go to his/her room due to the cold temperature of the room.

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Interviews with the Building Services Manager revealed the home has been experiencing cold temperatures in the building. He/she also revealed the expectation is that air temperatures measurements should have been completed and recorded for an identified period. The Building Manager also revealed a part of the daily assignment for the housekeeping staff on the day shift on weekends and Holidays was to take air temperatures in random areas and log onto the paper based Indoor Air Temperatures log Sheet. There is no evidence to support that this task has been performed.

Interviews with the Assistant Administrator revealed the home has been experiencing cold temperatures in the building. He/she also revealed the expectation is that air temperatures assessments should have been completed and recorded for an identified period.

The severity of the non-compliance and the severity of the harm were potential for harm or actual risk as it relates to residents #106, #107 and # 108. The scope of the non-compliance was pattern. A review of the compliance history revealed that there was previous unrelated non-compliance. As a result of the severity, scope and the licensee's previous compliance history, a compliance order is warranted. [s. 21.].

(652)



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**Order(s) of the Inspector**

Pursuant to section 153 and/or  
section 154 of the *Long-Term Care  
Homes Act, 2007*, S.O. 2007, c.8

**Ministère de la Santé et  
des Soins de longue durée**

**Ordre(s) de l'inspecteur**

Aux termes de l'article 153 et/ou  
de l'article 154 de la *Loi de 2007 sur les foyers  
de soins de longue durée*, L.O. 2007, chap. 8

**This order must be complied with by /**

**Vous devez vous conformer à cet ordre d'ici le :** Apr 05, 2018



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### **REVIEW/APPEAL INFORMATION**

#### **TAKE NOTICE:**

The Licensee has the right to request a review by the Director of this (these) Order(s) and to request that the Director stay this (these) Order(s) in accordance with section 163 of the Long-Term Care Homes Act, 2007.

The request for review by the Director must be made in writing and be served on the Director within 28 days from the day the order was served on the Licensee.

The written request for review must include,

- (a) the portions of the order in respect of which the review is requested;
- (b) any submissions that the Licensee wishes the Director to consider; and
- (c) an address for services for the Licensee.

The written request for review must be served personally, by registered mail, commercial courier or by fax upon:

Director  
c/o Appeals Coordinator  
Long-Term Care Inspections Branch  
Ministry of Health and Long-Term Care  
1075 Bay Street, 11th Floor  
TORONTO, ON  
M5S-2B1  
Fax: 416-327-7603



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When service is made by registered mail, it is deemed to be made on the fifth day after the day of mailing, when service is made by a commercial courier it is deemed to be made on the second business day after the day the courier receives the document, and when service is made by fax, it is deemed to be made on the first business day after the day the fax is sent. If the Licensee is not served with written notice of the Director's decision within 28 days of receipt of the Licensee's request for review, this (these) Order(s) is(are) deemed to be confirmed by the Director and the Licensee is deemed to have been served with a copy of that decision on the expiry of the 28 day period.

The Licensee has the right to appeal the Director's decision on a request for review of an Inspector's Order(s) to the Health Services Appeal and Review Board (HSARB) in accordance with section 164 of the Long-Term Care Homes Act, 2007. The HSARB is an independent tribunal not connected with the Ministry. They are established by legislation to review matters concerning health care services. If the Licensee decides to request a hearing, the Licensee must, within 28 days of being served with the notice of the Director's decision, give a written notice of appeal to both:

Health Services Appeal and Review Board and the Director

Attention Registrar  
151 Bloor Street West  
9th Floor  
Toronto, ON M5S 2T5

Director  
c/o Appeals Coordinator  
Long-Term Care Inspections Branch  
Ministry of Health and Long-Term Care  
1075 Bay Street, 11th Floor  
TORONTO, ON  
M5S-2B1  
Fax: 416-327-7603

Upon receipt, the HSARB will acknowledge your notice of appeal and will provide instructions regarding the appeal process. The Licensee may learn more about the HSARB on the website [www.hsarb.on.ca](http://www.hsarb.on.ca).



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## **RENSEIGNEMENTS RELATIFS AUX RÉEXAMENS DE DÉCISION ET AUX APPELS**

**PRENEZ AVIS :**

Le/la titulaire de permis a le droit de faire une demande de réexamen par le directeur de cet ordre ou de ces ordres, et de demander que le directeur suspende cet ordre ou ces ordres conformément à l'article 163 de la Loi de 2007 sur les foyers de soins de longue durée.

La demande au directeur doit être présentée par écrit et signifiée au directeur dans les 28 jours qui suivent la signification de l'ordre au/à la titulaire de permis.

La demande écrite doit comporter ce qui suit :

- a) les parties de l'ordre qui font l'objet de la demande de réexamen;
- b) les observations que le/la titulaire de permis souhaite que le directeur examine;
- c) l'adresse du/de la titulaire de permis aux fins de signification.

La demande de réexamen présentée par écrit doit être signifiée en personne, par courrier recommandé, par messagerie commerciale ou par télécopieur, au :

Directeur  
a/s du coordonnateur/de la coordonnatrice en matière d'appels  
Direction de l'inspection des foyers de soins de longue durée  
Ministère de la Santé et des Soins de longue durée  
1075, rue Bay, 11e étage  
Toronto ON M5S 2B1  
Télécopieur : 416 327-7603



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Quand la signification est faite par courrier recommandé, elle est réputée être faite le cinquième jour qui suit le jour de l'envoi, quand la signification est faite par messagerie commerciale, elle est réputée être faite le deuxième jour ouvrable après le jour où la messagerie reçoit le document, et lorsque la signification est faite par télécopieur, elle est réputée être faite le premier jour ouvrable qui suit le jour de l'envoi de la télécopie. Si un avis écrit de la décision du directeur n'est pas signifié au/à la titulaire de permis dans les 28 jours de la réception de la demande de réexamen présentée par le/la titulaire de permis, cet ordre ou ces ordres sont réputés être confirmés par le directeur, et le/la titulaire de permis est réputé(e) avoir reçu une copie de la décision en question à l'expiration de ce délai.

Le/la titulaire de permis a le droit d'interjeter appel devant la Commission d'appel et de révision des services de santé (CARSS) de la décision du directeur relative à une demande de réexamen d'un ordre ou des ordres d'un inspecteur ou d'une inspectrice conformément à l'article 164 de la Loi de 2007 sur les foyers de soins de longue durée. La CARSS est un tribunal autonome qui n'a pas de lien avec le ministère. Elle est créée par la loi pour examiner les questions relatives aux services de santé. Si le/la titulaire décide de faire une demande d'audience, il ou elle doit, dans les 28 jours de la signification de l'avis de la décision du directeur, donner par écrit un avis d'appel à la fois à :

la Commission d'appel et de révision des services de santé et au directeur

À l'attention du/de la registrateur(e)  
151, rue Bloor Ouest, 9e étage  
Toronto ON M5S 2T5

Directeur  
a/s du coordonnateur/de la coordonnatrice en matière  
d'appels  
Direction de l'inspection des foyers de soins de longue durée  
Ministère de la Santé et des Soins de longue durée  
1075, rue Bay, 11e étage  
Toronto ON M5S 2B1  
Télécopieur : 416 327-7603

À la réception de votre avis d'appel, la CARSS en accusera réception et fournira des instructions relatives au processus d'appel. Le/la titulaire de permis peut en savoir davantage sur la CARSS sur le site Web [www.hsarb.on.ca](http://www.hsarb.on.ca).

**Issued on this 8th day of January, 2018**

**Signature of Inspector /  
Signature de l'inspecteur :**





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**Name of Inspector /**

**Nom de l'inspecteur :**

Natalie Molin

**Service Area Office /**

**Bureau régional de services : Toronto Service Area Office**