

Human Resources Legislative Update

Ontario Issues Order Relating to Management of Retirement Homes Where Residents at Risk Due to COVID-19

Date: June 2, 2020

On May 29, 2020, the Ontario government filed an Order made under the *Emergency Management and Civil Protection Act* entitled the [Management of Retirement Homes in Outbreak](#) (Order).

The Order authorizes the Registrar under the *Retirement Homes Act, 2010* (Act) to issue a management order under section 91(1) of that Act (Registrar's Order) where there is a risk of harm to residents within a retirement home related to coronavirus (COVID-19), if at least one resident or staff member has tested positive.

Section 91(1) of the Act permits the Registrar to serve an order on the licensee of a retirement home to employ or retain one or more persons to manage or assist in managing all or some of the operations of the home where the Registrar reasonably believes that the licensee contravened a requirement under the Act and cannot or will not properly manage the operations of the home or cannot do so without assistance.

The Registrar's Order applies despite any requirement or grounds set out in the Act or its regulation and despite any other statute, regulation, order or policy. It must include certain prescribed information such as the duration of the order and the name of the person who is to manage the home. The Registrar's Order cannot be stayed by the Licence Appeal Tribunal.