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Families & Advocates Announce Legal Action as Ford Government Grants New Long-Term Care Licenses to Corporations with Hideous Records

Toronto – The daughter of a deceased long-term care resident and the Ontario Health Coalition are asking the court to require the Ford government live up to their own long-term care legislation. The advocates are seeking a judicial review of the Ford government’s decision to grant an 87-bed expansion and new 30-year license for the 233-bed home owned by Southbridge at Orchard Villa in Pickering and have asked the court to quash the undertaking ([link for court filing here.](#)) Under the “Fixing Long-Term Care Act”, the government is required to ensure that the past conduct of long-term care home owners offers reasonable grounds to believe that the home will not be operated in a manner that is prejudicial to the health, safety and welfare of its residents.

Two hundred and six of Orchard Villa’s 233 residents contracted COVID-19 and more than 70 died. At 30 deaths per 100 residents, Orchard Villa has one of the worst pandemic death records in Ontario. This should have been its own “never again” contend the families and the Health Coalition, but it does not end there.

The military exposed horrific conditions at Orchard Villa including residents’ mattresses set on the floor so they could not get up, lack of hygiene, and unsafe infection control and medication practices. They found the home was dirty with cockroaches and flies present, a rotten food smell, residents left in soiled “diapers”, residents left without hydration, improper feeding, a resident with a likely fractured hip left without proper care, multiple resident falls without assessment. There was poor access to supplies. Not only were residents on bare mattresses without linens, but also scarce wound care supplies, oxygen generators without oxygen, and broken suction units.

The military’s findings were not an aberration. Orchard Villa has a history of chronic non-compliance and continues to be cited for poor care in a litany of inspection reports that describe many of the same issues exposed by the military.

The Ontario government has gone to extraordinary lengths to force through the approval of Orchard Villa’s expansion, issuing an MZO despite a unanimous vote by Pickering City Council opposing the plan.

“The Ford government promised accountability but is doing the opposite,” said Natalie Mehra, executive director of the Ontario Health Coalition. “A massive expansion and a new 30-year license is absolutely not in the public interest.”

“The Ministry has approved a new- build for Southbridge Care in Pickering in contradiction to its own legislation. Long-term care homes with repeated failures do not deserve a free pass,” said Cathy Parkes, daughter of Paul Parkes who died at Orchard Villa. “After the deaths of so many loved ones, including my father, and the continued failures detailed in incident reports, Southbridge care should not have received the award of extra beds and a 30-year license for Orchard Villa. Ontarians deserve to know that *care* is the primary focus of long-term care.”

“While enforcement is important it will do little to protect residents from companies that have proven themselves to be utterly incapable of providing proper care,” said lawyer Steven Shrybman, from Goldblatt Partners LLP.