

COMMUNITY CARE AND ASSISTED LIVING APPEAL BOARD

*Community Care and Assisted Living Act,
SBC 2002, c.75*

APPELLANT: KR, Licensee
(operating Happy Hearts Daycare)

RESPONDENT: Suzanne Sellin, Manager, Community Care Facilities Licensing,
Fraser Health Authority

PANEL: Susan E. Ross, Chair

Decision Refusing Stay Order

[1] On October 11, 2007, the appellant made another request for an order staying the decision under appeal, which cancels the licence of Happy Hearts Daycare, pending the hearing of her appeal or at least until October 31, 2007.

[2] The appellant's new request provides no information that was not already before the Board, or known or readily available to the appellant to provide to the Board, with reference to its October 5, 2007 decision to revoke the conditional stay order.

[3] The Board reiterates its previous conclusion that it is not satisfied that permitting Happy Hearts Daycare to continue to operate as a licensed facility pending the hearing of the appeal, even under restrictive conditions, would not risk the health or safety of a person in care.

[4] The appellant has had adequate opportunities to prepare for the operational and financial consequences and contingencies around closure of her licensed facility.

[5] The appellant must comply with the Board's decisions and procedural directives and the Fraser Health Authority's licence cancellation decision, by attending to orderly closure of the licensed facility by **midnight on Friday, October 19, 2007** and by providing written submissions on her appeal, as scheduled by the Board Director, for its hearing on **November 30 and December 1, 2007**.

October 12, 2007

Susan E. Ross, Chair