

String of unregulated home daycares dominate Toronto street ^[1]

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EXCERPTS:

Shortly after dawn, a leafy residential street near the Woodbine subway station springs to life.

Family sedans and SUVs pull up on both sides of the street, throwing on four-way blinkers. Dads cross the road holding hands with toddlers, while mothers pass babies into the arms of smiling women on front porches.

Within three hours, a total of 22 kids are dropped off along a strip of six houses on the north side of the street. Four of the houses are operating as daycares and three of them are run by members of the same family. Two share an employee who darts back and forth between houses. None of the homes is licensed or regulated.

Welcome to Daycare Blvd.

"I don't begrudge anybody for trying to make some money," said Dave Calder, who has lived on the street for 20 years. "But I mean, four daycares on one block? It just seems wrong to me."

The lack of government oversight for unregulated home daycare has come under the microscope in recent months after two little girls died in separate homes last summer. Meanwhile, a Mississauga caregiver is about to go on trial for manslaughter in the death of another toddler who was fatally injured in an unregulated home in 2011.

The Star found no evidence that the children on this east-end Toronto street are in any danger. In fact, many parents and neighbours had nothing but praise for the care provided, with one mother describing her child's daycare as "phenomenal."

However, with the severe shortage of licensed child care in Ontario - there is space for just 21 per cent of children under age 5 - the vast majority of parents have no choice but to entrust their kids to unregulated daycares that have never been inspected and are governed by virtually no rules.

The Star is not identifying the name of the street to respect the privacy of the children in care.

The proliferation of unregulated care on Daycare Blvd. highlights the unforeseen result of provincial child-care legislation that was drafted decades ago, before women entered the labour force in droves and home daycares became small businesses.

"The Day Nurseries Act never contemplated relatives buying up three or four houses in a row to operate as home child-care businesses," said Martha Friendly, head of the Toronto-based Childcare Resource and Research Unit.

"What they are doing may or may not be legal," said Friendly, who has been studying child-care policy and regulation in Canada since the 1970s.

"But it shows the many loopholes in the Act that clever entrepreneurs have found to run fairly lucrative child-care businesses out of the public eye," she said.

Under the act, "a person who provides private-home daycare at more than one location" is running a "private home daycare agency." It is illegal to operate such an agency without a licence, according to the Act, meaning that someone can't set up unlicensed daycares at more than one house.

Since the businesses on Daycare Blvd. maintain they operate independently, they skirt around this regulation and remain unlicensed. That leaves the kids with no guarantee that health and safety measures are in place. Caregivers don't need training in first aid and food preparation. Fire exits don't need to be checked and play areas don't need to be approved. The only time an education ministry inspector will visit is if someone complains about the single rule unregulated daycare operators must follow: They can care for no more than five unrelated kids under age 10.

Three of the home daycares are owned and operated by members of the Shidfar family.

Responding to complaints from neighbours, provincial inspectors found too many kids at one of the homes three times since June - most recently on Aug. 27. The business continues to operate and has not been fined.

Bitra Sadr, who operates that daycare, said she is very conscious of the law that limits her to five children and that the infractions occurred under exceptional circumstances.

The first, on June 19, happened during a birthday party when four children from the daycare run by Sadr's sister-in-law next door joined her five charges.

The second violation occurred July 12 when kids from both daycares were playing together on her front lawn.

The last time, her husband arrived with one of their 4-year-old twin sons. She received a citation even though the legislation doesn't count an unregulated caregiver's own children in the five-child limit.

Sadr's husband, Mohammad Reza Shidfar, who owns the house, acknowledged that he and his two brothers own three daycare homes on the street. But he is adamant they are not doing anything wrong because each daycare is a separate business.

"We're unregistered. Nothing is hidden," he said. "Clear legislation is there . . . Nobody is allowed to run three daycares. If you want to do that, you need a licence."

Asked about staff moving between the houses, he explained that each daycare pays for only a few hours of the employee's time and they split their days between two daycares.

"They get paid by two different employers. There's no rule against that," he said.

The four daycares on Daycare Blvd. sprouted about five years ago from a single operation run by Tara Shelton. Sadr had been working there as an assistant for two years when she left to open a second daycare down the road with her niece, Nigar Shidfar. After two years together, Sadr decided to start her own business two doors away. Last summer, Sadr's sister-in-law Mozghan Farifteh started a fourth daycare business next door.

Sadr said their block is not unusual. The street is "full of home daycares. I guess it is the need of the community here," she said.

After a neighbour started complaining this summer, Sadr says she has been visited 11 times by education ministry inspectors. Children's Aid and city bylaw officials have also visited but found nothing wrong.

"Doing inspections is great as long as it's about the kids' safety," said Sadr, who says most of the complaints have come from a single disgruntled neighbour.

She says she provides top quality care, "organic, home-made meals" and has even invited the fire department to inspect her house. Sadr says she has a bachelor's degree in public health and has taken first aid and CPR courses since starting her business. The staff member she shares with her sister-in-law has had a criminal record check and has also taken safety training, she added.

"You can talk to any of the parents . . . I never had a complaint."

Two parents with children in Sadr's care spoke highly of the daycare, one saying her child will only eat Sadr's cooking.

Nigar Shidfar says she hasn't spoken to her aunt since Sadr left to start her own daycare. Nigar's daycare is completely separate from the others but has received visits from ministry inspectors all the same. The ministry found no violations.

Mozghan Farifteh, who operates the home daycare next door to Sadr, has refused to comment despite multiple visits by Star reporters and a written request asking her to explain her relationship to the other daycares.

Unregulated home daycare is often defended as an informal arrangement between families, friends and neighbours. But many run as small businesses, charging as much as \$70 a day per child, bringing in at least \$85,000 a year, all without any need for formal training, business licence, or health and safety checks.

Lauren Ramey, spokesperson for Education Minister Liz Sandals, said inspectors educate businesses operating unlicensed daycare agencies to make sure they stop breaking the law.

"Depending on the circumstances of each case, charges under the (Day Nurseries Act) may be considered," she said. When asked about the related daycares on Daycare Blvd., Ramey said: "We continue to review the circumstances at those addresses to determine next steps."

The ministry says it is reviewing the Act to give the government more power over unlicensed daycares, but has put no timetable on reform.

Back on Daycare Blvd., some neighbours are upset that so many daycare businesses could set up shop on their residential block.

Sharon Grady, who lives next door to one of the Shidfar daycares, bemoaned the street's change in character in recent years as more daycares opened. She said the houses are dark and empty on evenings and weekends, suggesting the operators don't live there.

"I used to have neighbours. I had people living on either side of me that were there. I could say hello to them on weekends and evenings, you know. We'd be out shoveling snow together," said Grady.

"Then these daycares come . . . As they keep appearing, I get more concerned that I was losing my community."

But not everybody is miffed by the child care activity. Several residents on the street told the Star they like having the kids around.

"Why four daycares here? It could happen anywhere," said Reza Shidfar as he stood outside his wife's home daycare. "At least the ministry knows about us."

-reprinted from the Toronto Star

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