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Their mom, 90, was repeatedly sexually assaulted by a resident of her North York nursing home. They only know because they caught it on camera

Experts say cases of abuse in long-term care are grossly under-reported, in part because those targeted are often unable to advocate for themselves.

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Norfinch Care Community Nursing Home is being sued for negligence by four sisters after their mother was allegedly sexually assaulted at least four times by a fellow resident.

Nick Lachance/Toronto Star



By **Calvi Leon** Staff Reporter

The head nurse at Norfinch Care Community nursing home was unable to get the words out of his mouth.

“Your mom,” his voice trembled. “Your mom —”

“What’s the matter with my mom?” the woman’s daughter asked, her mind racing. Mom was 88 and wheelchair bound. She couldn’t speak. She needed 24-7 care. What could have happened?

But the nurse was silent on the other end of the line. “Just tell me what happened.”

Finally, he said it: “Someone sexually assaulted her.”

It wasn’t the only time.

After the phone call, the daughter looked at video footage from a private camera she had installed in her mother’s room. She says the recording showed three more instances where that same individual — a male resident at Norfinch — sexually and physically assaulted her mom while she lay in bed, unable to yell for help or resist.

That daughter and her three sisters have since launched a multimillion-dollar lawsuit against the 65-year-old resident, Wai Chan, and [Sienna Senior Living Inc.](#), the operator of Norfinch nursing home in North York. In it, the children claim the nursing home failed to protect their mother and other vulnerable residents despite knowing Chan had an alleged history of sexual abuse. The long-term-care home did not follow existing safety policies and repeatedly ignored compliance orders issued by the province, the statement of claim alleges.

The allegations were detailed by the women in a recent interview. The Star is not naming them because their mother’s identity is covered under a publication ban meant to protect victims of sexual assault.

The family notes that their mother, now 90, needed full-time care, while Chan was required to be under one-on-one supervision — so where were the staff when the assaults occurred? And why was Chan allowed back into Norfinch in the days after he was criminally charged and released from custody on bail?

Questions like these, coupled with the guilt they feel for putting their mom in the facility, weigh heavily on the daughters. They said they wanted to share their story to not only hold Sienna accountable but also to warn others.

Their fears have long been underscored by researchers and advocates: [cases of abuse in long-term care](#) are grossly under-reported, in part because the individuals being targeted are unable to advocate for themselves.

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Sienna, [one of the largest for-profit nursing home operators](#) in Ontario, has denied the allegations in a statement of defence. Spokesperson Nadia Daniell-Colarossi declined to comment on details, but said the company takes allegations of abuse “extremely seriously” and has trained its staff to immediately investigate and protect the safety of its residents.

“In this situation, we worked closely with the police to address safety concerns,” Daniell-Colarossi said in the emailed statement, noting that Chan no longer lives at Norfinch.

Chan, who suffers from brain damage and uses a wheelchair, acknowledged all the offences in court while pleading guilty to two of four counts of sexual assault. In December, he was given a conditional sentence of two years less a day, followed by three years of probation.

The Star could not reach Chan for comment, and his defence lawyer on his criminal charges did not return emailed requests. Records from the civil case show he was noted in default, meaning he failed to respond to the lawsuit in time.



Norfinch Care Community Nursing Home.

Nick Lachance/Toronto Star

Warning signs inside Norfinch

The daughters felt they had no choice but to move their mom into Norfinch.

It was March 2020. The [COVID-19](#) outbreak was just declared a global pandemic. Mom was in the hospital recovering from medical complications unrelated to the virus. After a long stay, staff said she needed to go. They were in dire need of beds.

Norfinch wasn't on the family's list when they applied for urgent long-term care, but it was the only facility available.

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Their mother already had dementia and Parkinson's when she moved in, though she was still coherent and speaking; her children said it was crushing to watch her deteriorate. She stopped going for walks and using the bathroom independently, and became increasingly isolated after long periods without visitors, due to the lockdowns.

For a while, the only interaction her family had was through the first-floor window.

“She was so angry,” said her second-born daughter. “She didn’t understand why we were not going in.”

By September 2020, their father had also moved into Norfinch. His mobility was declining, and he wanted to be with his wife.

Inside the home, dad “was our eyes and ears,” said the youngest daughter. He phoned his kids daily, keeping them apprised of their mother’s health and care.

He would sit outside her door “to keep watch,” the youngest said, but he never explained why. He even requested a reclining chair so he could sleep beside her.

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It’d be several weeks before his children would learn the reason.

In March 2021, Norfinch contacted the second-born daughter with some concerning news: her father had advised an employee that he believed his wife was being “inappropriately touched at night,” the lawsuit says.

The daughter inquired from her dad directly. He told her a woman who lives across the hall from mom said she frequently saw a male resident enter her room, unaccompanied.

According to the statement of claim, Norfinch said it would launch an investigation and review the hallway surveillance immediately.

“We take this very seriously” and will submit a report to the Ministry of Long-Term Care about the suspected abuse, the then-executive director wrote in an email.

The nursing home agreed to let the daughters install a camera in their mother’s room.

Eventually, management said that they did not find anything in the footage to support the allegations. (The hallway cameras only stored videos for 30 days.)

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Asked if the daughters could review the footage themselves, Norfinch refused, the claim says.

The family learns of one sexual assault — and then three more

Dad died in August 2021. It would take nearly another three years before his fears would be confirmed.

GTA

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On the evening of July 17, 2024, a personal support worker (PSW) witnessed Chan sexually assault his wife, the lawsuit says.

The PSW reported the incident to the head nurse, who then called the second-born daughter.

When the nurse finally got the words out, she was beside herself.

“I don’t know how I got to Norfinch,” the daughter said, recalling the drive over. She was crying uncontrollably and incoherent when she called her younger sister.

“What happened? Calm down,” the sister recalled — she thought mom had died.

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Upon learning it was an assault, her mind turned in an instant. “Oh my god,” she realized. “I bet you it’s the guy that daddy told us about.”

When the older sister got to Norfinch, she said staff refused to disclose which resident had assaulted her mom.

She checked the video camera. The footage was clear — it was Chan. The family called police from the lobby.

Officers arrested him at Norfinch that evening and charged him with one count of sexual assault.

The next day, the daughters reviewed additional video footage and discovered three more instances in which their mom had been sexually abused by Chan, the lawsuit claims.

There may be more, the family said, given that the camera only stores 30 days of footage; they have no idea if their mom was assaulted in the years after their dad’s death.

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They gave the footage to police, and on July 25, 2025, Chan was charged with three more counts of sexual assault.

According to an agreed statement of facts read in court, the four offences happened in late June and mid-July — all between 6 p.m. and 7 p.m.

Chan, who uses a wheelchair, managed to enter the mom’s room repeatedly without detection. The daughters allege his actions were planned, not impulsive, and that Chan knew when staff took breaks.

“He studied. He figured out when the best time was,” said the second-born daughter, questioning why there were no PSWs around.

Mom cannot see, feed herself or use the bathroom alone. She is non-verbal, but mumbles or makes facial expressions to indicate she understands her children.

She must’ve been terrified, lying there, the daughter said. “Is he going to come today? Is he not coming today?”

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The systemic problem, and one man's documented history

Patricia Spindel, chair of the advocacy group Seniors for Social Action Ontario, said elder abuse in nursing homes has long been recognized as a pervasive problem but is significantly under-reported.

Despite legislation that mandates reporting abuse and neglect in long-term care, Spindel said "it's horrific" that many employees are still not doing so — and that the province is not enforcing it.

She said victims themselves may not want to report because they are embarrassed, scared or cannot speak up due to cognitive or physical impairments. "Or if they do report them, they aren't believed."

Meanwhile, the criminal justice system often does not see vulnerable people as credible, Spindel said. "Sometimes charges aren't laid because (police) don't think they'll stick."

The daughters claim it was an open secret that Chan faced allegations of sexual abuse by other residents.

The night of the last assault, two of the sisters gave statements to the police.

After, they said officers advised them that there had been many abuse claims against Chan, but they could not be prosecuted because there were no witnesses or video footage.

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The daughter said Norfinch's director of care confirmed the prior allegations the next day.

In their lawsuit, the family argued Sienna's "deliberate, repeated inaction" put their mom and other residents at further risk of harm.

A ministry order requiring Chan to be under 24-7 supervision "was simply ignored," it says.

In its statement of defence, Sienna denies all claims of negligence, breach of duty and failure to meet the required standards of care.

While it admits that the victim's family raised concerns about someone entering the room in 2021, the operator says the ministry was notified after an internal investigation reviewed the available hallway video and found no unauthorized entries.

Those allegations were determined to be "unfounded," Sienna says.

Sienna denies being aware of any history of abuse or aggressive behaviour by Chan. Had it known of any previous harm caused by him, the statement says it would have taken steps to prevent the assaults.

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The company maintains it followed licensing procedures and plans of care for both Chan and the mother. She required regular care before the alleged incidents, not one-on-one monitoring, Sienna said.

Sienna argues that staff were properly trained to prevent and report abuse, and staffing ratios at Norfinch “met or exceeded” ministry standards.

In their lawsuit, the daughters note that the Ministry of Long-Term Care issued several compliance orders against Norfinch between 2019 and 2024 that document what the lawsuit describes as a consistent pattern of failure to protect residents from sexual abuse by Chan.

Chan is not named in the compliance orders, but they reference each other by number in a chain that links to the ministry’s October 2024 report on the sexual assaults against the mother.

The lawsuit claims that these documents reveal that Chan was already mandated to be under one-on-one supervision, including following a November 2021 compliance order that found Norfinch had failed to protect five residents from sexual abuse by another resident.

While the perpetrator is identified only as resident No. 9, the daughters noted that the 2024 Ministry report on their mother’s case resulted in a \$5,500 penalty against Norfinch for failing to follow the 2021 order.

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The 2024 ministry report ultimately found that the footage from the room and hallway cameras showed Chan entered their mom’s room “several times.”

Responding to the daughters’ claims about the ministry findings, Sienna argues that the report and compliance orders are not an accurate reflection of what happened and should not be admissible in a courtroom.

Why did Sienna let Chan back into Norfinch?

One question the daughters keep coming back to is: why did Sienna allow Chan to return to Norfinch, even if briefly?

They found out by chance. The second-born daughter said she was visiting her mom at Norfinch shortly after the assault in late July 2024 when she witnessed a caseworker enter the building and ask for Chan; staff replied that he was on the third floor.

“Is he back?” the daughter demanded, to which management said they would not comment.

Chan had been bailed, and there was nothing in his conditions that prevented him from being in the building.

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He would have only been back at Norfinch for a matter of days; according to an email from management, he was discharged on Aug. 2, 2024 — a day after he was granted bail following the second set of charges.

In mid-December, a Toronto judge accepted a joint submission by the Crown and Chan's defence lawyer for a conditional sentence of two years less a day, followed by three years of probation. Chan was ordered to follow strict conditions that include house arrest and a strict curfew.

Court heard that Chan has struggled with developmental issues from an early age, suffered a stroke in 2018 and requires a wheelchair due to limited mobility.

The daughters claim their mother is suffering from post-traumatic stress disorder, extreme and constant fear she will be sexually violated again, hypersensitivity to being physically touched and immense distrust of others.

The family is seeking more than \$4 million each from Chan and Sienna on behalf of their mom.

Their lawyer, Michael Wilchesky, said in a statement that the children entrusted their mother's care to Norfinch, a place they believed would be a safe and dignified home.

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In the end, "Sienna failed them and their mother at every turn."

At Chan's sentencing last month, the victim's daughters released a statement describing their mother as a source of strength — someone who provided love, protection, comfort and stability.

Chan chose their mom "precisely because she was vulnerable, non-verbal and unable to defend herself," they wrote.

"It was a violation so profound that it shattered her sense of safety, her dignity and the quiet peace she deserved in the final chapter of her life," the women said.

The feeling of guilt is overwhelming, they said. "Even though we understand the blame lies solely with Mr. Chan, the anguish of not being able to shield her from this horror is something we will live with forever," they said.



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