Protecting consumers & guiding businesses

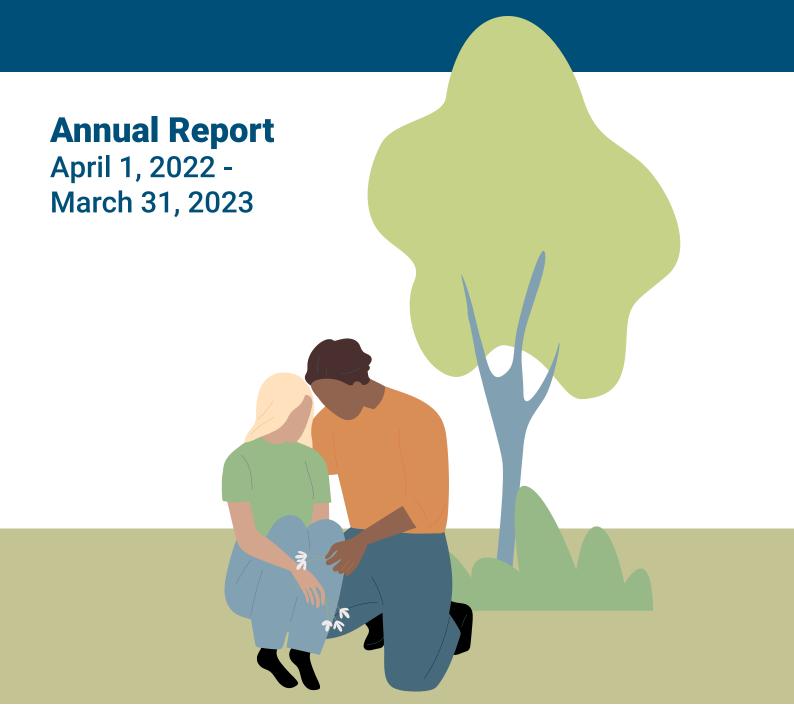




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Organizational Overview

The Bereavement Authority of Ontario (BAO) is a government delegated authority and not-for-profit corporation administering provisions of the Funeral, Burial and Cremation Services Act, 2002 (FBCSA) on behalf of the Ministry of Public and Business Service Delivery.

Responsible for protection of the public interest, the BAO regulates, ensures compliance with the law, and supports licensed:

- Funeral establishment operators, directors and preplanners;
- Cemetery, crematorium and *alternative disposition operators;
- · Transfer service operators; and
- Bereavement sector sales representatives across Ontario

The BAO is wholly funded by licensee fees (not tax dollars).

Mandate

The BAO is an independent, not-for-profit corporation that administers provisions of the FBCSA (the Act). The BAO's mandate is to serve and protect public interest and govern the bereavement sector in the province of Ontario.

Vision

A fair and safe bereavement marketplace where Ontarians have confidence in the dignified and respectful treatment of the deceased.

Mission

To effectively regulate Ontario's bereavement services by:

- Using risk-based regulatory tools to promote compliance and inspire confidence in the sector;
- · Using evidence to inform decision making;
- Supporting the development of a strong and diverse sector; and
- Remaining responsive to the changing needs of consumers and the sector.



Values

We are proactive, respectful, transparent, efficient, fairminded and team oriented.

Objectives

The BAO's objectives are aligned with its Mission. The objectives are itemized in our BAO Business Plan 2022-25, starting page 13.

Organizational Chart

To see our organization chart, please visit this web page.

* Alternative disposition = Currently this relates to alkaline hydrolysis, a chemical process that uses a heated solution of water and potassium hydroxide or sodium hydroxide under pressure and agitation to reduce a body to components of liquid and bone.

Message from the Chair

Glenda Brindle, Chair, BAO Board of Directors

Progress: From strategy to action

The Bereavement Authority of Ontario (BAO) Board of Directors saw its Strategic Plan in full implementation mode during the fiscal year ended March 31, 2023.

What a year of aligned accomplishments it has been.



Focused on our mission

Our board members have remained focused on the BAO's mission, which we spelled out as part of planning work for the <u>Strategic Plan 2022-2025</u>. At a high level, that plan means we are:

- Using risk-based regulatory tools to promote compliance and inspire confidence in the sector
- Using evidence to inform decision-making
- Supporting the development of a strong and diverse sector
- Remaining responsive to the changing needs of consumers and the sector

Investment

Change is a constant in the bereavement sector. With an in-progress gradual shift from more traditional funeral services and cemetery burials to cremations, a growing interest in natural or green burials, and staffing needs in the north and other areas, it's vital that the BAO has the data and analytics it needs to regulate and support the evolving sector.

Our drive to become more digitally equipped to understand and make the best evidence-and-risk based decisions is one of the reasons why the board so strongly supported the investment needed to implement a new Customer Relationship Management (CRM) system. Having a deeper understanding of our sector's changing needs and the implications of emerging consumer preferences will assist the board in its decisions. The CRM will be ready at the start of 2024.

Welcome

Last December, we welcomed Jim Cassimatis in the role of Interim CEO/Registrar, while a search process began. We thank him for stepping in so ably.

Message from the Chair...continued

His three decades with the Ontario Public Service – the last nine years of which as an Assistant Deputy Minister – have already served the BAO well in steering many improvements in our:

- Staffing needs
- · CRM development work by staff
- Implementation of the needed licensing fee increase to fund required operational changes, as outlined in the CEO/Registrar's Report

Thank you

My thanks to my colleagues on the board for their consistent and thoughtful considerations on the BAO's future directions.

A special thank you to our board directors whose terms expire this year. In August, Laurie Macdonald, Jay O'Neill and Scott Miller completed their terms. The BAO Board of Directors and I thank them for their service. All three joined the board in August of 2017:

- Laurie Macdonald, Executive Director of the Ontario Wine Appellation Authority, has also served on committees including Finance, Governance and Nominations and the Compensation Fund.
- Jay O'Neill, CEO and Registrar of the Retirement
 Homes Regulatory Authority, has also served on
 committees including as the Chair of Audit, Risk and
 Finance Committee.
- Scott Miller, President of Funeral Strategies.ca in Ottawa, was the BAO Board Secretary and a member of the former Board of Funeral Services (a predecessor organization to the BAO) holding the positions of Chair of Licensing, member of the Complaints Committee and Long-Range Planning Committee. With the BAO, he has served as the Co-Chair of Joint Advisory Committee, Chair of the committees of Funeral & Transfer Services Advisory, the Compensation Fund, and as a member of Governance and Nominations.



I thank BAO employees for their ongoing implementation of the Strategic Plan and the corresponding <u>Business Plan</u> toward improvements for grieving families and for guiding our 9,469 business and personal licensees on licensure and regulations.

I thank the Minister and Ministry of Public and Business Service Delivery for working with us collaboratively during the year. I look forward to this continued strong relationship.



Message from the CEO/Registrar

Jim Cassimatis, Interim CEO/Registrar

A year of milestones and initiatives in the public interest



The 2022/23 fiscal year was a coming of age for the Bereavement Authority of Ontario (BAO).

The authority marked its seventh year in operation since licensing and enforcement responsibilities were transferred from the Board of Funeral Services and the provincial government to the BAO in 2016.

We are no longer a start-up regulatory authority as we were in the first few years. Nonetheless, we remain small and efficient in serving the country's largest province.

The fiscal year, ended on March 31, 2023, also marked my first three months in the role as interim CEO/Registrar.

In the last fiscal year alone, we've expanded the depth and quality of our services in consumer protection and oversight of businesses and professionals in the bereavement sector at:

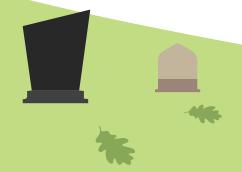
- Funeral establishments
- Cemeteries
- Transfer services
- · Crematoriums, and
- Alkaline hydrolysis facilities

Our list of milestones and new initiatives, developed by our staff team is something I'm proud to tell you about.

Milestones

We reached milestones on protecting the public interest through our:

- 1. Progress in implementing recommendations of the Office of the Auditor General (AG) of Ontario
- 2. Health and safety during COVID era restrictions
- 3. Increased public awareness of the BAO and what we do for you



Message from the CEO/Registrar...continued

1. Progress on AG recommendations

This is a big one for the BAO, the public and our 9,469 business and personal licensees.

On Nov. 30, 2022, the Auditor General published her two-year Follow-Up report on the Value-for-Money Audit of the BAO.

The Auditor General's Follow-Up report showed that the BAO had implemented, or is in the process of implementing, 86 per cent of the action items required to complete the recommendations. Of that 86 per cent, the AG reported that 57 per cent were fully implemented and 29 per cent were in the process of being implemented.

Since her report was published we have checked off a few more action items.

It's taken much time and energy for our talented team of 37 staffers to achieve that while continuing to do their ongoing work. I thank them for their diligence.

In the Overall Conclusion of her Follow-Up report she highlighted that: "The Ministry of Public and Business Service Delivery and the Bereavement Authority have fully implemented recommendations such as:

- Standardizing the price lists among all licensed operators, including identifying what services are required by law and what is optional,
- Conducting unannounced inspections and mystery shopper visits,
- Conducting performance reviews, at least annually, for each inspector,
- Cross-checking the listing of Environmental Compliance Approvals maintained by the Ministry of the Environment, Conservation and Parks to ensure that the listing is complete, and
- Verifying that all Class 1 licensed funeral homes possess a current hazardous waste generator number."

You can read more about our progress on the recommendations on this <u>BAO webpage</u>.

Health and safety during COVID era restrictions

It's receding into the past now, we certainly hope.

The above and beyond efforts of our licensed professionals, the public and our BAO staff paid off for the health and safety of all working in the sector and those attending funeral-related services during the pandemic.

Thanks to a firm commitment to safety restrictions, COVID-19 outbreaks stemming from funeral services were very rare among grieving families, visitors and bereavement professionals as the provincial measures ended in the spring of 2022.

It's certainly worth noting that we safeguard a total of \$4.7 billion dollars of consumer money in prepaid trust funds and in cemetery care and maintenance funds (See P20).

3. Increased public awareness of the BAO

It's important that grieving families know the BAO is here for them. The more the public knows of us, the more we can do for them. We are the authority they can turn to whenever they may feel they were treated unfairly in the bereavement sector, or if they just want to know about services and options available to them.

We encourage people to <u>contact us</u> for any questions, complaints or information needs they have about services provided at funeral homes, cemeteries, crematoriums and hydrolysis facilities.

To get the word out, we've promoted the BAO and what it does for people on several public platforms.

Our online and printed versions of the free <u>BAO Consumer Information Guide</u> continues to be broadly available on our website, through our social media, in public presentations, and articles in our BAO publications. Increasingly, we've seen a growing interest toward adoption of the online web version of the guide, which one day will overtake the number of paper copies. That will be a milestone.

Our family magazine, <u>Beyond</u>, achieved its own milestone in February of 2023 when it reached more than 172,000 people in our promotions of its engaging stories and videos.

The <u>BAO website</u> has seen its readership remain at all-time highs compared to pre-pandemic years.

Our staff also continue to connect with you in community and bereavement sector meetings as much as possible throughout the year.

Read our Communications and Stakeholder Relations' stats and facts starting on page 24 to learn more.

Message from the CEO & Registrar...continued

New initiatives

This category is the most significant. The last year of hard work by our staff team has also been one of innovation through several new initiatives. They include:

- 1. Introducing a risk-based inspection process
- 2. Enhanced guidance to businesses, staff and volunteers in the bereavement sector
- 3. Developing a new Customer Relationship Management (CRM) technology system
- 4. Initiating licensee fee increases, required to adequately fund the BAO's work
- 5. Additional surveys of consumers and our licensed professionals

1. Risk-based inspections

We have a new inspection strategy to prioritize inspections based on an assessment of risk of harm to consumers. Our management and staff have also expanded the rigour of licensing and financial compliance in the public interest and to guide our licensees.

2. Enhanced guidance to the sector

Our Licensing and Financial Compliance departments have been providing guidance to volunteers and staff at small cemeteries in the completion of their legally required Annual Licensure Reports and in the management of their Care and Maintenance Funds.

It's detailed work that results in greater compliance and protection of the longevity of cemeteries for families everywhere in the province.

The BAO's work in supporting the people and businesses we license is important. Simply put, the better they are at complying with the law and regulations, the better they can serve you and your family at a trying time in your lives.

Read our Licensing and Financial Compliance's Trust Funds sections in this annual report for the details.



3. Developing a new CRM

Investment in and development of a new Customer Relationship Management system has been a focus of our Information Technology team in partnership with management and staff members during the previous fiscal year.

The new CRM will help equip the BAO and its staff to track information valuable to protecting and informing the public and licensees.

The modern CRM will start to replace our existing archaic system at the end of the 2023 calendar year. The new system will organize the BAO's expanded services and Auditor General recommended improvements, while tracking progress, licensee compliance and data analytics.

It will also provide valuable information about businesses and individual licensees working in all areas of the province. We will share this information with licensees and the public.

Read the <u>Information Technology</u> section on pages 29 to 30 for more information.

Message from the CEO & Registrar...continued

4. Licensee fee increases

We announced in February 2023 that we were proposing to increase fees paid by licensees starting in July 2023. (The BAO is wholly funded by licensee fees, not tax dollars.)

Increasing licensee fees means the BAO would be adequately resourced to serve the public and support the bereavement sector.

In addition to the CRM investment, we needed to add 10 employees to our staff complement in the last year to implement and sustain recommendations of the Auditor General and serve the needs of Ontario's growing population, which surpassed 15 million people as reported on April 1, 2022 by the provincial government.

5. Additional surveys

In addition to our Client Satisfaction/Value Surveys conducted every two years, we introduced three much more granular surveys to evaluate our complaints and inspection processes.

The brief and anonymous surveys will become something we can compare year over year toward constant improvement of our processes. Currently, the surveys each serve as a snapshot of the 2022/23 fiscal year, with the public and licensees providing the BAO with useful information.

- For consumers: <u>BAO complaints process</u> invited people, who have filed complaints with us about a licensee, to tell us about their experience in order to help us improve our processes in the public interest.
- For licensees: <u>BAO inspection quality feedback</u> invited licensees, whose facilities had recently been inspected by the BAO, to complete the survey to help us improve our processes for consumers (the public) and licensees.
- For licensees: <u>BAO complaints process</u> invited licensee businesses and personal licensees, who had a complaint filed against them recently, to assist us in improving our processes for the public and licensees.

Looking forward

We look forward to the next few years as we apply information from our surveys, the enriched CRM data and experiences we have with the public and licensees to constantly improve our oversight of the bereavement sector and consumer protection for grieving families.

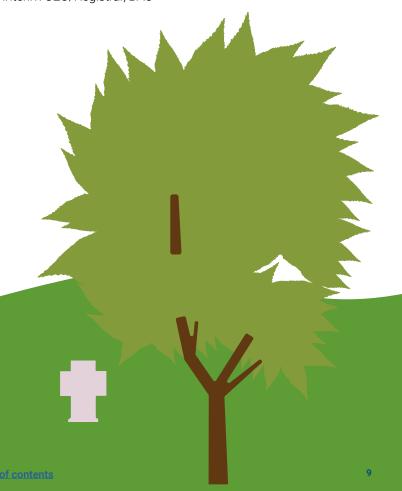
Thank you

I'd like to thank our BAO staff and licensees for their continued professionalism in providing services to people in grief.

I thank our BAO Board of Directors for their leadership on policy and direction. I also thank the Minister and Ministry of Public and Business Service Delivery for their oversight and working productively with us.

Jim Cassimatis,

Interim CEO/Registrar, BAO



BAO by the Numbers 2022/23





160,983
Consumer Information Guides

printed & distributed

(156,923 English and 4,060 French)















172,066 Views of last quarterly issue of **Beyond magazine**



BAO Board of Directors 2022/23



Glenda Brindle Chair

BrokerRoyal LePage Team
Realty Brokerage



Leith Coghlin Vice-Chair

Managing DirectorEnPointe Public Affairs



Scott Miller Secretary

Funeral DirectorPart-owner
Pinnacle Cremation Services



Normand A. Allaire
Director

President/CEO (Retired)
Runnymede Healthcare Centre



Lucy Becker Director

Vice-President
Public Affairs & Policy
Retirement Homes
Regulatory Authority



Laurie Macdonald
Director

Executive DirectorOntario Wine
Appellation Authority



Howard Mammon
Director

Executive DirectorToronto Hebrew Memorial Parks



Michael David Marco
Director

VP Finance & TechnologyFred Victor Centre



Jay O'Neill Director

CEO/RegistrarRetirement Homes
Regulatory Authority



Andrew Roy
Director

President
The Beechwood
Cemetery Company

Corporate Governance

Role of the Bereavement Authority of Ontario (BAO) Board of Directors

The governance of the BAO is established through the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), its regulations, by-laws, policies as well as an Administrative Agreement with the government through the Ministry of Public and Business Service Delivery (MPBSD). The Board is accountable to the Minister for the performance of the BAO and is responsible for corporate governance, regulatory oversight and guiding the development of the BAO's strategic plan and priorities. The Board is committed to continually strengthening its governance practices and oversight of the organization and supporting the government's consumer protection mandate.

Board composition and Director qualifications

The BAO is governed by a 10-member Board of Directors. The Board is comprised of:

- Four (4) skills-based directors with regulatory and governance experience and who have no direct interest in the bereavement sector.
- Three (3) directors who are selected and appointed by the Minister, MPBSD.
- Three (3) directors who are also the Chairs of the three Advisory Committees. These individuals represent all sectors of the bereavement industry: faith, funeral and transfer services, cemetery and cremation.

Board remuneration

The Board met fifteen times during the 2022/23 fiscal year. The Board Remuneration Policy sets out the following rates (for 3+ hour meetings) for Board members.

- Per diem rate for Chair is \$744
- Per diem rate for Vice Chair is \$583
- Per diem rate for Board members is \$472

For fiscal year 2022/23 the total Board remuneration was \$104,338



Corporate Governance

BAO Board Committees

The Board is supported by the work of these committees.

Audit Risk and Finance Committee

Chair Jay O'Neill

The Audit and Risk Committee's mandate is to assist the Board in fulfilling its oversight responsibilities with respect to the organization's standards of integrity and behaviours, reporting of financial information, and risk management control practices.

CEO Performance Evaluation Committee

Chair Glenda Brindle

The CEO Performance Evaluation Committee's mandate is to assist with the evaluation of the CEO on an annual basis and to make recommendations on alterations to the CEO job description, incentives and salary...

Compensation Fund Committee

Chair - Normand A. Allaire

The Compensation Fund Committee's mandate is to manage the affairs of the Funeral Services Compensation Fund, to ensure compliance with the FBCSA and its regulations and to determine eligibility of claims.

Special Committee – Executive Recruitment

Chair Lucy Becker

The Special Committee is an ad-hoc committee to facilitate the recruitment process for the CEO/Registrar and to recommend a preferred candidate or candidates to the Board of Directors ("the Board").

Governance and Nominations Committee

Chair Laurie Macdonald

The Governance and Nominations Committee has a dual mandate to provide the Board of Directors with recommendations for the membership of the Board and committees, and to assess the BAO's governance development, practices and policies.

Discipline and Appeal Committees

Discipline Committee Chair: Paul Famula Appeal Committee Chair: Marilyn Marshall

The Discipline and Appeal Committees hear and determine issues regarding licensee violations of the Code of Ethics, including determining penalties where appropriate. A panel of three committee members will be selected to hear and determine each matter.

Volunteer Advisory Committees

Cemetery, Crematorium and Municipal **Advisory Committee**

Chair Andrew Roy

This committee is comprised of sector and consumer representatives, who provide the BAO Board and the CEO & Registrar with expert advice related to cemeteries and crematoriums.

Faith-based Advisory Committee

Chair Howard Mammon

This committee is comprised of sector and consumer representatives, who provide the BAO Board and the CEO & Registrar with expert advice related to funeral and transfer services.

Funeral and Transfer Service Advisory Committee

Chair Scott Miller

This committee is comprised of sector and consumer representatives, who provide the BAO Board and the CEO & Registrar with expert advice related to funeral and transfer services.

Service Standards

The BAO is proud of its customer service. Consumers and licensees receive these turnaround times for services from our staff.

Service Standards		
Service	Target Turnaround Time	
Personal Licence Application	10 Business Days	
Business/Operator Licence Application	45 Business Days	
Inquiry Acknowledgement	1 Business Day	
Complaint Processing	30 Business Days	
Inspection Results Delivered to Licensee	14 Business Days	

Compliance - AODA

The BAO ensures that its policies, practices and procedures comply with the principles of dignity, independence, integration and equal opportunity in accordance with the Accessibility for Ontarians with Disabilities Act.

French Language Services

The BAO employs four bilingual individuals. These employees provide bilingual support to consumers, stakeholders and licensees via phone and written correspondence, upon request.

The BAO also provides bilingual Funeral Service education through Collège Boréal, which offers the program in French. BAO publications are offered in French and English.



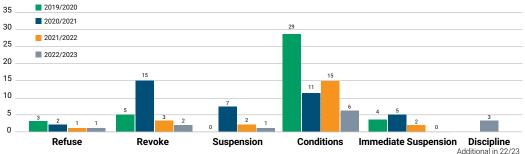
Registrar's Actions 2022/23

Registrar's actions include issuing Proposals to Suspend, Refuse or Revoke Licences and to impose conditions on licences. Issuing of a registrar's temporary suspension (a.k.a. Registrar's Immediate Suspension) for the most serious matters are also included.

Definitions

- Refuse: Notice of Proposal to Refuse issued by the Registrar
- Revoke: Notice of Proposal to Revoke issued by the Registrar
- Suspension: Notice of Proposal to Suspend or voluntary suspensions
- Conditions: Conditions imposed on the Licensee
- **Immediate Suspension**: Suspension: Registrar's Immediate/Temporary Suspension Order typically issued in addition to a notice of proposal to revoke

Registrar's Actions



Some actions (e.g., 'Proposal to Revoke' and 'Immediate Suspension' orders) fall under more than one category and so are counted more than once. This means that the totals in the Operator chart will not correspond.

Registrar's Actions by Licensee Type

Fiscal Year (April 1, 2022 to March 31, 2023)

Operator	Total (7)
Funeral Establishment Operator	2
Transfer Service Operator	0
Cemetery Operator	5
Crematorium Operator	0
Alkaline Hydrolysis Operator	0
Personal	Total (6)
Funeral Director	6
Sales Representative	0

There were 3 appeals to the Licence Appeal Tribunal: 2 by personal licensees; and 1 by an operator licensee.

The Trend

The Registrar continues to take a proactive approach to resolving licensee compliance issues by using Orders for Information, Cease Orders, and Conditions of Licence. These actions have successfully reduced the need to escalate enforcement to litigation in many cases, and result in fewer Registrar's refusals, suspensions, conditions and revocations. Orders for Information are issued under s. 111 of the Act. A Cease Order is issued under the authority of O. Reg. 30/11, subsection 109(7). Compliance issues that could have ended in administrative actions have been resolved by issuing 8 Registrar's Section 111 Orders for information and 10 Cease Orders.

Licensing

Under the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), anyone in Ontario who provides or offers to provide bereavement-related supplies and services must be licensed with the BAO. The total number of active personal and operator licensees (cemetery, crematorium, alternative disposition operator, funeral establishment and transfer service operators; funeral directors, preplanners; and transfer service, cemetery and crematorium sales representatives) during this fiscal year is 9,469.

Establishment Licensing

The 2022/23 fiscal year continues to see stability across licensed establishments.

Licence Classes Defined

- Funeral Establishment Operator Class 1: Can offer embalming services, full funeral services, removal of pacemakers or implants. Will make available an inexpensive transfer service.
- Funeral Establishment Operator Class-2: Can temporarily place human remains so persons may attend and pay their respects, such as visitation or funeral. Cannot offer embalming services, transfer services, or removal of pacemakers or implants.
- Transfer Service Operator Class 1: Can sell and provide the service of placing a dead human body in a
 casket, washing the body and setting the features and transporting a dead human body from one location to
 another
- Transfer Service Operator Class 2: Can sell and provide the service of placing a dead human body in a casket, removing personal effects and transporting a dead human body from one location to another.
- Transfer Service Operator Class 2 (Restricted): Can sell and provide the same services as a Transfer Service Operator Class 2 above, but the operator is restricted to serving only the members of its religious organization.
- Cemetery Operator: Person (corporation, partnership, sole proprietor, trustee/volunteer board religious or other) licensed to sell and provide cemetery supplies and services.
- Crematorium Operator: Person (Corporation, Partnership, Sole Proprietor, Trustee/Volunteer Board Religious or other) licensed to sell and provide crematorium supplies and services.
- Alternative Disposition (hydrolysis): Licensed to sell and provide hydrolysis services.

Establishment Licensing Statistics				
Licence Classes	2019/20	2020/21	2021/22	2022/23
Funeral Establishment Operator - Class 1	576	575	572	559
Funeral Establishment Operator - Class 2	11	12	10	8
Transfer Service Operator - Class 1	50	51	67	65
Transfer Service Operator - Class 2	31	31	32	31
*Transfer Service Operator - Class (Restricted)			21	23
Cemetery Operators (2,315 organizations)	5,217	5,222	5,221	5,229
Crematorium Operators (51 organizations)	72	72	74	74
Alternative Disposition (Hydrolysis)	4	4	4	4
Totals	5,961	5,967	6,001	5,994

^{*} New in 2021/22

Personal Licensing

Personal Licence Classes	2019/20	2020/21	2021/22	2022/23
Funeral Director-Class 1 (embalming)	2,582	2,531	2,524	2,465
Funeral Director-Class 2 (non-embalming)	29	33	38	39
Funeral Preplanner	369	362	380	380
Sales Representative (Cemetery/Crematorium)	591	547	548	522
Transfer Service Sales Representative	32	32	33	35
TSSR Restricted			25	34
Grand total	3,603	3,505	3,548	3,475

Licence Classes Defined

- Funeral Director Class 1: Can embalm and provide all related professional services associated with arranging and directing a funeral and memorial service on behalf of a licensed establishment.
- Funeral Director Class 2: Can arrange and direct customized funeral rites and ceremonies on behalf of a licensed establishment. Cannot provide embalming services.
- Funeral Preplanner: Can enter into prepaid contracts funded by trust or insurance plans for funeral supplies and services on behalf of a licensed funeral establishment (FE).
- Transfer Service (TS) Sales Representative: Can sell transfer services on behalf of a licensed transfer service operator.
- Cemetery Sales Representative: Can sell or offer to sell cemetery supplies and services on behalf of a licensed cemetery operator.
- Crematorium Sales Representative: Can sell or offer to sell crematorium supplies and services on behalf of a licensed crematorium operator.

New and renewed licences

	Newly issued in 2022/23	Renewed in 2022/23
FE and TS Operator licences	55*	499
Cemetery, Crematorium and Alternative Disposition (Hydrolysis) Operator	16** (incl. 1 Hydrolysis)	2,388 (includes 4 Hydrolysis)
Personal licences	251	3,184

^{*}Includes applications for new and asset/share purchases of funeral establishments and transfer services.

^{**}Includes applications for new cemetery sites, and asset/share purchases or transfers of existing cemetery sites to new cemetery operators.

Emeritus Status - Funeral Directors in good standing for 50+ years		
Year	# of individuals	
2019/20	10	
2020/21	9	
2021/22	6	
2022/23	12	

Licensee Education

Since 1938, funeral professionals in Ontario have committed to lifelong learning through participation in mandatory professional development programs. The BAO believes that professional development and continuing education is a priority and an important component of any profession.

Exams

Traditionally, exams only took place onsite at Humber College or Collège Boréal three times a year. The BAO continues to offer additional administrations of the Entry-to-Practice examinations (Licensing and Jurisprudence) for small groups in house or onsite at the licensees' establishment.

Licensing Examinations		
Year	Exams Taken	Pass %
2019/20	195	95%
2020/21	174	93%
2021/22	166	93%
2022/23	166	87%

Jurisprudence Examinations		
Year	Exams Taken	Pass %
2019/20	260	84%
2020/21	186	89%
2021/22	171	91%
2022/23	183	81%

Continuing Education

Since Jan. 1, 2020, funeral licensees are required to complete a minimum of six hours of continuing education courses each year.

To qualify for continuing education credit, the course(s) must be delivered through one of the following organizations: the Ontario Funeral Service Association; the Ontario Association of Cemetery and Funeral Professionals; Collège Boréal; Humber College; or others approved by the Bereavement Authority of Ontario (BAO)*.

No courses, seminars, conferences or events originating from outside of the province or from other associations or continuing education providers qualify for credit, unless they have received prior approval from the BAO.

Qualifying courses will be identified as either technical/professional skills or self care. A maximum of two hours of self care courses will qualify for continuing education credit (Category B). The remaining four hours must be related to technical/professional skills (Category A).

^{*} The Bereavement Education Committee (BEC), comprised of members from two province-wide business sector associations, disbanded at the end of 2022 with thanks for its role. As an objective body, the regulator, the Bereavement Authority of Ontario, assumed continuing education course approval responsibilities for its licensees on Jan. 1, 2023.

Trust Funds

The Financial Compliance Team educates licensees on the use of income, investment, capital preservation, sale/resale of interment rights, understanding institutional statements, reporting requirements and the difference between individual trust, pooled trust, and insurance products.

Care and Maintenance Fund

A care and maintenance fund/account (C&M fund) is an irrevocable trust fund that ensures funds are available for the upkeep of a cemetery in perpetuity. Cemetery operators are required under the Funeral, Burial and Cremation Services Act, 2002 (FBCSA) to deposit appropriate contributions within 60 days of a sale. The C&M fund is held by an eligible trustee under the FBCSA. The use of capital (including realized capital gains) is strictly prohibited. However, the provincial government's changes to the FBCSA, effective Jan. 1, 2022, permit non-commercial cemetery operators to access the capital portion of a cemetery care and maintenance fund or account to increase the capacity of a cemetery. This is subject to approval from the Registrar of the FBCSA, under the condition that the capital is paid back into the trust fund or account. Additional changes to the FBCSA, also effective Jan. 1, 2022, have increased minimum Care & Maintenance contributions and the Care & Maintenance Fund's establishment deposit, which was increased from \$100,000 to \$165,000. The income generated from the investment of the capital is used for care and maintenance expenses of the cemetery.

Funeral Establishment & Transfer Service Operators Report of Prepaid Funds Submission Rate		
Year	Submission Rate	
Jan 1 - Dec 31, 2020	99.7%	
Jan 1 - Dec 31, 2021	100.00%	
Jan 1 - Dec 31, 2022	100.00%	

Cemetery & Crematorium Operators Report of Prepaid Funds Submission Rate		
Year	Submission Rate	
Jan 1 - Dec 31, 2020	76.05%	
Jan 1 - Dec 31, 2021	96.3%	
Jan 1 - Dec 31, 2022	100.00%	

Cemetery & Crematorium Operators Report of Care & Maintenence Funds Submission Rate		
Year Submission Rate		
Jan 1 - Dec 31, 2020	85.47%	
Jan 1 - Dec 31, 2021	96.05%	
Jan 1 - Dec 31, 2022	97.90%	

Total Prepaid Fun	Total Prepaid Funds (Trust - Pooled & Individual)		
2020/2021	\$1,147,934,572	10%	
2021/2022	\$1,263,745,682	10%	
2022/2023	\$1,277,986,264	1.13%	

Prepaid funds fluctuate year to year depending on consumer choices and changing rates of return. Between 2019/20 and 2021/22 the fluctuations resulted in numbers returning to a very similar total.

Total Prepaid Fund	% Change	
2020/2021	\$1,712,295,414	0.65%
2021/2022	\$1,701,128,899	-0.65%
2022/2023	\$1,642,950,006	-3.42%

Total Cemetery Ca	Total Cemetery Care and Maintenance Funds		
2020/2021	\$1,608,786,479	3.8%	
2021/2022	\$1,670,010,768	3.6%	
2022/2023	\$1,787,924,377	7.06%	



Care and Maintenance Fund... continued

Cemetery Care and Mainten	ance (C&M) Funds Total	by Category 2022/23
Category	Total C&M Amount	# of Funds/Accounts
Municipal - not for profit	\$180,762,491.34	392
Not for profit	\$587,010,654.27	136
Corporation - Private	\$405,518,992.32	87
Corporation - Publicly Traded	\$76,414,415.24	1
Religious - not for profit	\$501,940,126.95	913
Trustee/Volunteer Board	\$35,812,398.55	526
Sole Proprietorship	\$465,297.84	11
Grand total	\$1,787,924,376.51	2,066

Prepaid Funds

Licensed operators who enter into prepaid contracts for licensed prepaid supplies or services (excluding the purchase of interment/scattering rights) must place funds in trust within 35 days, either in a pooled trust fund, individual trust account, or insurance. Licensed operators report annually to the BAO via a Report of Prepaid Funds form which captures total number of contracts, total value, total interest, contracts provided, cancelled, and new. Licensed operators are required to engage a public accountant (independent of the operator) to submit a review engagement or audit report (excluding pooled trust funds less than \$100,000). Each report is reviewed by a BAO Financial Compliance Officer for compliance with the FBCSA.



Compensation Fund

Established in 1990, the Prepaid Funeral Service Compensation Fund ("the Compensation Fund") is designed to compensate consumers who have suffered a financial loss as a result of a licensed funeral professional or transfer service licensee mishandling prepaid funds. The Compensation Fund fiscal year was Nov. 1, 2021 to Oct. 31, 2022. In that fiscal year, there were 5 claims made against the Compensation Fund totaling \$13,067.

Total market value of the fund at its fiscal year-end was \$2,259,456, comprised of cash, fixed income and equity holdings.

The Compensation Fund had revenues of \$80,666 from its primary income sources, including interest and dividend income, net gains on investments as well as contributions from new licensees. Voluntary payments may also be made by funeral establishment and transfer service operators in relation to prepaid trust funds that have been left unclaimed and for which the recipient (beneficiary) would be at least 120 years old. Should a rightful recipient to the unclaimed funds come forward after they are paid into the Compensation Fund, the funds will be paid out to the rightful recipient. Claims that are denied payment by the Compensation Fund Committee may be appealed to the Licence Appeal Tribunal.

Complaints

The BAO's compliance officers have been very effective in addressing consumer inquiries and complaints. The majority of inquiries are resolved through the clarification of legislation. Complaints require investigation and mediation between a licensee and a consumer. The most common complaints received by the BAO are:

- · From which family member to take direction
- · Contraventions of regulations
- · Contract related issues
- Miscommunication between the licensees and consumers
- · Interment rights issues
- · Service standards and professionalism

For complaints, the BAO endeavours to conclude and close the matter within 30 business days. These efforts are undertaken to ensure Ontario Consumers are always treated in a compassionate and professional manner during a vulnerable time in their lives.

Inquiry and Complaint St				
	2019/20	2020/21	2021/22	2022/23
# Inquiries	1,253	2,944	2,304*	2, 021*
# Complaints	173	105	104	64
Total	1,426	3,049	2,408	2,085

^{*}Of the total inquiries for the 2022/23 fiscal year: 1,461 were consumers; 560 were licensees, 26 of which were conducted in the French language.

Complaints by Licence				
Class	2019/20	2020/21	2021/22	2022/23
Funeral Establishments	39	52	50	23
Cemeteries	29	50	50	31
Crematoriums	4	0	1	0
Transfer Services	6	1	3	9
Alkaline Hydrolysis	0	0	0	0
Other (Unlicensed)	2	2	0	1
*Total	80	105	104	64

Complaints Process

The BAO's complaint process involves the following steps:

- · Complaint received via phone, email, regular mail or online complaint form
- Complaint acknowledged and additional information/documentation requested from the complainant
- · Applicable licensee contacted regarding complaint and clarification, documentation and response requested
- · Complaint documentation thoroughly reviewed by BAO Management and Complaint Unit
- Licensee and complainant kept apprised of the process throughout the investigation
- Final written response provided to both the licensee and the complainant
- **Complaints against the BAO** can be made through this email PrivacyOfficer@TheBAO.ca. The complaint will be sent to the relevant manager. If it is not resolved at that stage, it will then escalate to the CEO & Registrar.

Inspections

Risk-based

The Inspections, Compliance and Enforcement team employs a risk-based approach in identifying operators requiring inspections. Specific risks are identified, rather than relying exclusively on predetermined fixed time intervals for inspections.

Identified risks include:

- Failure to submit annual licence renewal and/or report on trust funds on time
- Failing to communicate or reply to the regulator
- Complaints
- Previous compliance history
- · New or inexperienced, management

Licence Classes	2019/20	2020/21	2021/22	2022/23
Funeral Establishment	58	63	80	118
Transfer Service	11	9	17	29
Cemeteries	51	26	15	57
Crematoriums	11	3	6	10
Alternative Dispositions	1	0	0	6
Non-Licensees	3	8	4	5
Total inspections	135	109	122	225
Focused	85 = 63%	79 = 73%	52 = 43%	107=48%
Regular	50 = 37%	30 = 27%	70 = 57%	118=52%

- Focused Specific issue driven, such as adherence to COVID-19 protocols, website pricelist review, follow-up inspection on identified deficiencies
- Regular Full inspection

Note: Numbers in the 2020/21 and 2021/22 fiscal years reflect fewer inspections as a result of pandemic restrictions and precautions.

Archaeological Investigations

The BAO Registrar's Directive, Archaeological Assessments & Investigations on Cemetery Lands, was issued to remind cemetery operators that any invasive activity, either excavation or construction within or at the boundaries of a cemetery for which no credible maps/plans or records exist, may only be carried out after an archaeological investigation has been conducted by a professionally licensed archaeologist, to confirm that no undocumented human burials will be disturbed.

A Cemetery Investigation Authorization must be received from the BAO before any invasive activity, which could impact human burials, begins. Between April 1, 2022 and March 31, 2023, the Registrar responded to 130 Inquiries for maps and boundary surveys, and issued nine Cemetery Investigation Authorizations.

BAO awareness is up – and that helps consumers

The more we make ourselves and services known to people, the more the Bereavement Authority of Ontario can help grieving families.

Increasing awareness of the authority supports its mandate and a recommendation of the Office of the Auditor General of Ontario.

In our first post-pandemic fiscal year with restrictions lifted, the BAO has seen that consumers continue to turn to us as a trusted source of information of the death care sector – as they did en masse during the COVID-19 restrictions.

From April 1, 2022 to March 31, 2023, readership exceeded pre-pandemic numbers on the BAO's:

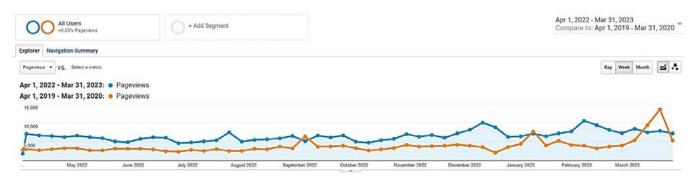
- Website TheBAO.ca
- Consumer Information Guide online
- Beyond, our digital family magazine
- Social media accounts on Facebook, LinkedIn and Twitter (as linked on our website)

Web

Our website pageviews remain at all-time BAO highs, excluding the two COVID-19 fiscal years between April 1, 2020 to March 31, 2022, when restrictions were frequently changing to ensure safety and health.

Our website data analytics showed that people turned to TheBAO.ca at a rate 68 per cent higher in the 2022/23 fiscal year compared to 2019/20. In the year ended on March 31, 2023, there were 345,274 web pageviews of our website compared to 205,484 pageviews in 2019/20, which included the start of pandemic restrictions in the last two weeks of March 2020.

The data tells the story.



Free consumer guide



The BAO will continue promotion of its online Consumer Information Guide on social media and in its public presentations. The guide is more than holding its own in post pandemic times, as our Web, Eblasts & Social Media table shows.

The online version of the guide saw an incremental increase over last year's web pageviews, while our volume of BAO eblasts to our licensees remained lower than the flurry of changes that pandemic times demanded.

Web, Eblasts & Social Media				
	2019/20	2020/21	2021/22	2022/23
BAO Website total pageviews	205,484	572,712	726,194	345,274
BAO Consumer Information Guides (CIG) web pageviews	6,566	12,043	39,520	40,979
BAO eblast messages to licensees Registrar's Directives, Notices, Guidance and news	55	167	112	52
Facebook followers	1,191	1,465	1,801	1,969
Facebook posts	85	94	111	117
LinkedIn followers	98	337	483	718
LinkedIn posts	24	94	111	117
Twitter followers	74	130	169	193
Twitter posts	98	94	111	117

Printed uptake of the guide by consumers, largely at funeral homes, saw an increase in our first year post-COVID restrictions in the number of printed guides shipped. During the pandemic demand for print was understandably lower, especially in the first year of COVID-19 when only 107,093 were printed and shipped.

Consumer Information Guide					
	Printed guide	es shipped	Total		
	English	French	IUlai		
2019/20	174,988	4,077	179,065		
2020/21	105,266	1,827	107,093		
2021/22	134,910	5498	140,408		
2022/23	156,923	4,060	160,983		

Our magazine



Our family-focussed consumer magazine, Beyond, published its fifth issue reaching a record 172,066 people, more than triple its first issue in 2021. Beyond is a free all-digital, family-focused magazine providing useful and interesting stories about the bereavement care industry and why it matters to families in Ontario. It's articles and videos have focused on:

- Options and rights of grieving people
- Notices to the Consumer
- How funeral homes cater to community needs
- · All legal forms of final disposition of loved ones
- Community support for cemeteries and how they are maintained for generations
- Green burials
- Preserving Underground Railroad history at cemeteries
- Religious funeral traditions

Listening to you: BAO public and licensee survey results

The BAO conducts its anonymous client satisfaction/value surveys with the public and its licensees every two years, in accordance with the Administrative Agreement with the provincial government.

The 2022 surveys were conducted from Aug. 24 to Oct. 4, 2022 with these stakeholder groups:

- · Consumers (public/families)
- · Licensees of the BAO

The surveys each asked a random sampling of the public and BAO licensees to answer 11 and 10 questions, respectively. The 2022 Consumers Survey reached 73,671 people (47,032 in 2020) across Ontario, through promoted post advertising on Meta (Facebook/Instagram).

The 2022 Licensee Survey was again promoted through a mass email to 6,284 BAO licensee email addresses (5,224 in 2020), with 1,003 licensees (730 in 2020) opting to complete the survey.

Both the 2022 and the 2020 surveys were conducted using a third-party online survey provider, receiving similar positive results on topics including the BAO's administration of:

- The Funeral, Burial and Cremation Services Act, 2002
- Its mandate to serve and protect the public interest
- Access to information on the public website, with Registrar's Actions (suspensions/revocations) and licensing information being among the most popular topics.

Public interest in completing the survey remained very low. The two surveys confirmed the ongoing need to promote the BAO and its services. The results will be used by the BAO to hone consumer protection value through accessible and engaging information to the public, while also meeting the information needs of licensees of the BAO.

The results of the 2022 surveys are available on the BAO website.



2019/20	2020/21	2021/22	2022/23
calls	calls	calls	calls
13,495	18,384	27,868	21,403

Stakeholder Presentations

Legend:

- BAO Bereavement Authority of Ontario
- MPBSD Ministry of Public and Business Service Delivery
- OACFP Ontario Association of Cemetery and Funeral Professionals
- OFSA Ontario Funeral Association of Ontario
- ORFA Ontario Recreational Facilities Association
- Sector Bereavement sector in Ontario (funeral homes, cemeteries, crematoriums, hydrolysis facilities)

Date	Event	Location	Audience	BAO Presenter
March 29, 2023	OACFP Cremation Symposium — Presentation on legislated requirements, compliance and safety	Mississauga	85 Crematorium operators, staff, transfer service operators & funeral directors	Michael D'Mello, Deputy Registrar
March 28, 2023	OACFP's Cremation Symposium	Mississauga	85 members	Jim Cassimatis, Interim CEO/Registrar – Opening remarks, sector update
March 28, 2023	OFSA Board of Directors meeting		Virtual	Jim Cassimatis – sector update
March 24, 2023	BAO staff accompanied MPBSD staff for a meeting with the Natural Burial Association	Toronto	Natural Burial Association leadership	BAO staff members
March 23, 2023	Collège Boréal	Virtual	College professors and BAO staff	BAO staff met with Collège Boréal to discuss labour shortages in the sector
March 4, 2023	Township of Conmee meeting	Virtual	10 council members	Michelle Crognale, Manager, Licensing and Education - Presentation on BAO's Consumer Information Guide
March 7, 2023	Presentation at the OACFP's Government Relations Committee	Virtual	25 committee members and staff	Jim Cassimatis – Presentation
February 5, 2023	Competition Bureau Canada meeting	Virtual	10 staff of Competition Bureau Canada and the BAO	BAO management staff – Discussion on competition matters
January 20, 2023	Options in death care to Seniors Group, Port Hope	Port Hope Town Park Recreation Centre	45 senior citizens	David Brazeau, Manager, Communications
January 17, 2023	Webinar for cemetery operators: BAO & Office of the Public Guardian and Trustee (OPGT) on Care & Maintenance Fund, annual licensure requirements	Virtual	155 licensees	BAO's Jackey Lee (Financial Compliance) and OPGT staff presented

Stakeholder Presentations

April 1, 2022 to March 31, 2023					
Date	Event	Location	Audience	BAO Presenter	
December 16, 2022	The Huron County Clerks & Treasurers Association	Virtual	34 attendees	Michael D'Mello - Presentation on Municipal Cemetery Obligations	
October 18, 2022	ORFA	Virtual	28 members of ORFA	Michael D'Mello - Presentation on Municipal Cemetery & Crematorium Compliance and Obligations	
September 14, 2022	OFSA Mid-year meeting	Niagara-on- the-Lake	120 OFSA members	Carey Smith, CEO/Registrar - update on BAO and the sector	
November 5, 2022	Rededication at St. James' Cemetery, upon reinterment of 5,000 cremated remains following reconstruction of berm	Toronto	300 attended	Michael D'Mello and David Brazeau met with operators and staff at the cemetery	
October 29- 30, 2022	Zoomer Show	Toronto	500-600 consumers who asked questions of the BAO at the show	BAO staff Crystal MacLaren, Kate Dafoe, David Brazeau answered questions of the public about consumer information	
September 28, 2022	Annual General Meeting - Georgian Bay Funeral Service Association AGM	Port Elgin	50 members of the association	Presentation by BAO managers Peter Jordan (Inspections), Michelle Crognale (Licensing), David Brazeau (Communications), Paula Davidson (Compliance)	
September 20-22, 2022	OACFP annual conference	Ottawa- Gatineau	249 OACFP members	Carey Smith – Opening remarks, update on BAO and sector, spoke at COVID monument dedication at Beechwood Cemetery	
June 18, 2022	Ontario Heritage Conference	Brockville	60 municipal staff, heritage associations, cemetery staff & volunteers	David Brazeau – Presentation on the value of licensing cemeteries	
May 10, 2022	Presentation on Municipal Cemetery & Crematorium Compliance and Obligations	Virtual	23 ORFA Attendees	Michael D'Mello	
4 quarterly meetings	Communications update to MPBSD and authorities	Virtual	32 from MPBSD and authorities	David Brazeau – Presentation on communications actions	

Information Technology Report

BAO investing in modernized CRM to improve consumer protection and support the bereavement sector

The Bereavement Authority of Ontario will become more effective next year for the public, licensed businesses and professionals thanks to the implementation of BAO's reengineered and modern regulatory management system.

From electronic inspection reports and improved tracking and analysis, to sharing bereavement sector data with BAO licensees and the public – the new Customer Relationship Management (CRM) system will provide the tools required to better serve everyone.

By the start of the 2024 calendar year the new CRM will replace the existing legacy system to significantly improve efficiency, accuracy and productivity of the BAO.

During the last year and ongoing, the BAO's Information Technology team has been working with staff from each department through a minutiae of important details to ensure delivery of the new system.

What's in it for you?

The CRM will benefit the public, licensed businesses and professionals, and the BAO itself as a result of:

- Sharing of analytical data with licensees and the public. The new CRM will parse data regionally and provincially in several categories including –
 - » Trends in numbers of deaths responded to by funeral directors/establishments and transfer services
 - » Increases and decreases in provincial and regional numbers of licensed professionals and businesses
 - » Changes in the number of burials, cremations and hydrolysis compared to previous years
 - » Inspection outcomes data
 - » Numbers of new and all service providers provincially and regionally
- Standardizing and optimizing BAO's business processes to meet and exceed its mandate
- Promoting modernization through improved online services for the public, who may access the BAO Public Registry of all licensees (operators and professionals)

- Building credibility with the sector through accurate data modeling and reporting
- Alignment and ability to deliver detailed corporate planning, performance, statistical and reporting requirements as outlined in the BAO's Administrative Agreement with the Ministry of Public and Business Service Delivery
- Increasing BAO responsiveness to external audits and amendments to internal controls, including those from the ministry
- Improved compliance with the Accessibility for Ontarians with Disabilities Act – as per the provincial government's Visual Identity Directive
- More information, transparency and consumer protection
- Data-driven decision making and regulatory actions, such as information support to licensees, and on implementation of conditions, suspensions and revocations when necessary to protect consumers
- Risk-based-technology-enabled compliance activity, rather than a more reactionary inspections approach arising largely from complaints
- Value for money (as paid by licensees) with a return on investment in proactive and robust data reporting
- Harmonization with other BAO digital applications to enhance staff collaboration, productivity, with better performance metrics and public reporting
- Protection against data breaches and cyber security threats

The new CRM enables the BAO fully its honour its mandate, meet ministry responsibilities, recommendations of the Office of the Auditor General of Ontario and sufficiently support the bereavement sector.

Staff work is continuing at a relentless pace toward phase one of our go-live target at the start of 2024.

Financial Statements

Please click on this link to read the <u>Financial Statements</u>.

Report on Performance - Financial Review FY2023

The following financial review is based on the audited financial statements, by Grant Thornton LLP, for the year ended March 31, 2023. The BAO uses its revenues to deliver consumer protection initiatives across the province and to ensure the organization's sustainability so the organization can fulfill its mandate.

As of March 31, 2023, the Net Assets of the BAO were \$5,014,408 compared to \$5,608,707 for the year ended March 31, 2022. In fiscal year 2023 (April 1, 2022, to

March 31, 2023) the BAO realized a net deficit of revenues over expenses of \$594,299 (compared to a net deficit of \$1,397,551 in FY2022). Higher operating revenues were realized in FY2023 with the implementation of an inflationary fee increase for the 2023 licensing year; partially offset with higher operating expenses incurred to address the recommendations brought forward by the Auditor General of Ontario's ("AGO"), Value for Money audit, conducted in 2020. Additional expenditures realized in FY2023 were related to the development of a new Customer Relationship Management (CRM) system.

Revenue

The BAO relies on two main revenue streams, funeral and cemetery licensing fees, which are set out in accordance with a fee structure under the Minister's

Order made under the Funeral, Burial and Cremation Services Act, 2002. Overall revenues for FY2023 were \$5,701,907, an increase of \$1,101,824 compared to

the prior fiscal year. The difference was primarily driven by an inflationary fee increase introduced for the 2023 licensing year and timing of prior year licensure renewals.

Non-operating revenue of \$98,840 was generated by the BAO's investment program for FY2023. Investment of excess cash flows were limited to short-term, risk-free, term deposits and held with major Canadian financial institutions.

Expenses

The BAO's expenses in FY2023 were \$6,296,206 (including amortization), an increase of \$298,572 from the previous year. As noted above, the year-over-year increase in expenses was primarily due to a higher staffing complement to assist with the implementation of AGO's value for money audit. Additional legal and administrative expenses were also incurred over the prior year.

Capital Expenditures

Capital spending including intangible assets in FY2023 amounted to \$828,464 (compared to \$114,851 in FY2022), directly related to the development of a new Customer Relationship Management (CRM) system.

Liquidity

Based on cash flows provided by its operations and current investment holdings, the BAO has sufficient liquidity to fund its short-term business plans and obligations.

Long Range Forecast of Revenues and Expenses

To execute the organization's business plan and maintain the recent investment in human resources and information technology, the BAO will be implementing a licensing fee increase for the 2024 licensing year. This will be the first fee increase outside of inflation introduced to the sector in nearly 10 years. The fee increase was particularly necessary to help the organization's revenues catchup to the pace of its annual operating expenses. Over the last several years, the BAO was funding the excess of expenses over revenues with cash reserves, introducing both operating and financial risks to the business. Looking ahead, the organization has full confidence that the new fee structure will help provide the necessary resources to deliver its mandate and ensure financial and operating sustainability.

Click on this <u>link to the Audited Financial Statements</u> for the fiscal year ended March 31, 2023.

