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Bill 129

**An Act to amend the Services and Supports to Promote
the Social Inclusion of Persons with Developmental Disabilities Act, 2008
to establish a Bill of Rights for residents of supported group living residences
and to provide for related matters**

MPP L. Vaugeois

Private Member's Bill

1st Reading May 27, 2026

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill enacts *Andre's Law (Bill of Rights for Residents of Supported Group Living Residences), 2026*, which amends the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008* to establish a new Part VI.1 (Rights of Residents of Supported Group Living Residences).

The new Part VI.1 establishes a list of rights of residents of supported group living residences known as the Residents' Bill of Rights. A service agency that operates a supported group living residence is required to ensure that these rights are fully respected and supported. The rights may be enforced by a resident as if the resident and the service agency had entered into a contract under which the service agency had agreed to fully respect and promote the rights.

The new Part VI.1 also provides for the creation of Residents' Councils and Family Councils for supported group living residences and provides for the respective roles of these councils as well as other related matters. The role of a Residents' Council includes, for example, advising residents respecting their rights and obligations under the Act. The role of a Family Council includes, for example, providing assistance, information and advice to residents, family members of residents and persons of importance to residents.

Finally, the Lieutenant Governor in Council is authorized to make various regulations for the purposes of the new Part VI.1, including regulations governing how rights set out in the Residents' Bill of Rights must be respected and promoted by service agencies.

**An Act to amend the Services and Supports to Promote
the Social Inclusion of Persons with Developmental Disabilities Act, 2008
to establish a Bill of Rights for residents of supported group living residences
and to provide for related matters**

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 *The Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008* is amended by adding the following Part:

**PART VI.1
RIGHTS OF RESIDENTS OF SUPPORTED GROUP LIVING RESIDENCES**

Definitions

26.1 In this Part,

“representative” means, in respect of a resident, a person whom the resident has designated as their representative or a person legally authorized to act for the resident; (“représentant”)

“resident” means a resident of a supported group living residence; (“résident”)

“Residents’ Bill of Rights” means the list of rights under section 26.6. (“déclaration des droits des résidents”)

Respect and promotion of rights

26.2 A service agency that operates a supported group living residence shall ensure that the rights of residents, as set out in the Residents’ Bill of Rights, are fully respected and promoted.

Fundamental principle

26.3 (1) The fundamental principle to be applied in the interpretation of the Residents’ Bill of Rights and anything required or permitted to respect and promote the rights set out in the Residents’ Bill of Rights is that,

- (a) supported group living residences are primarily the home of their residents and are to be operated so that they are places where residents may live with dignity and in security, safety and comfort and have their physical, psychological, social, spiritual and cultural needs adequately met; and
- (b) the purpose of the Residents’ Bill of Rights is to promote social inclusion, autonomy and the rights of residents.

Same

(2) Without restricting the generality of the fundamental principle, the following are to be interpreted so as to best respect and promote the rights of residents, as set out in the Residents’ Bill of Rights:

1. This Act and the regulations.
2. Any agreement entered into between a service agency and the Crown.
3. Any agreement entered into between a service agency and a resident or a resident’s representative.

Enforcement of residents’ rights

26.4 The rights set out in the Residents’ Bill of Rights may be enforced against a service agency as though the resident and the service agency operating the supported group living residence had entered into a contract under which the service agency had agreed to fully respect and promote all of those rights.

Regulations re residents’ rights

26.5 The Lieutenant Governor in Council may make regulations governing how rights set out in the Residents’ Bill of Rights shall be respected and promoted by service agencies, but the absence of any such regulations, or of regulations with respect to a specific right, does not impact on the enforceability of any of those rights.

Residents’ Bill of Rights

26.6 Every resident has the following rights:

1. The right to be treated with respect, which consists of the right to,
 - i. be treated with courtesy and respect and in a way that fully recognizes the resident's inherent dignity, worth and individuality, regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability,
 - ii. be treated with the same dignity and respect as citizens in society not affected by disabilities,
 - iii. have their lifestyle and choices respected, and
 - iv. have their participation in decision making respected, including having their representative's participation in decision making respected.
2. The right to freedom from abuse and neglect, which consists of,
 - i. the right to freedom from abuse, and
 - ii. the right to freedom from neglect by the service agency operating the supported group living residence and its staff.
3. The right to an optimal quality of life, which consists of the right to,
 - i. communicate in confidence with any person, receive visitors of the resident's choice and consult in private with any person without interference,
 - ii. be free from living in isolation and live in a socially dynamic congregate setting that promotes the resident's wellbeing and enables the formation of friendships and relationships and to participate in the life of the residence,
 - iii. share a room with another resident according to their mutual wishes, if appropriate accommodation is available,
 - iv. meet privately in their room or another room that assures privacy with any person, including their spouse, substitute decision-maker, legal guardian, or a family member,
 - v. pursue social, cultural, religious, spiritual and other interests, develop their potential and be given reasonable assistance by the service agency to pursue these interests and develop their potential,
 - vi. live in a safe and clean environment,
 - vii. be given access to protected outdoor areas in order to enjoy outdoor activity unless the physical setting makes this impossible,
 - viii. keep and display personal possessions, pictures and furnishings in their room subject to safety requirements and the rights of other residents,
 - ix. manage their own financial affairs unless the resident lacks the legal capacity to do so, and
 - x. exercise their rights as a citizen.
4. The right to quality care and self-determination, which consists of,
 - i. the right to proper accommodation, nutrition, care and services consistent with their needs,
 - ii. the right of the resident to be told both who is responsible for and who is providing the resident's direct care and to also have their representative be told that information,
 - iii. the right to be afforded privacy in treatment and in caring for their personal needs, to request, including through their representative, to have their personal care needs provided by a same sex assistant and to have the service provider make best efforts to accommodate the request,
 - iv. the right of the resident, including through their legal representative, to,
 - A. participate fully in the development, implementation, review and revision of their plan of care,
 - B. give or refuse consent to any treatment, care or services for which their consent is required by law and to be informed of the consequences of giving or refusing consent,
 - C. participate fully in making any decision concerning any aspect of their care, including any decision concerning their admission, discharge or transfer to or from a supported group living residence and to obtain an independent opinion with regard to any of those matters,
 - D. as applicable, have their personal health information within the meaning of the *Personal Health Information Protection Act, 2004* kept confidential in accordance with that Act, and to have access to their records of personal health information, including their plan of care, in accordance with that Act, and
 - E. have access to their personal records and plan of care, subject to any legal restrictions on access to those records,

- v. the right to ongoing and safe support from any representative of the resident, any legal guardians or any caregivers, family, friends or other persons of importance to the resident to support their physical, mental, social and emotional wellbeing and their quality of life as well as the right to assistance in contacting any of those persons and the right to support and the right to assistance in organizing and hosting a meeting with any of those persons at the supported living residence,
 - vi. the right of the resident to have their representative or legal guardian immediately informed of any injury, illness, transfer or any hospitalization of the resident,
 - vii. the right to receive care and assistance towards independence based on a restorative care philosophy to maximize independence to the greatest extent possible,
 - viii. the right not to be restrained or confined, except as authorized by law.
 - ix. the right to be provided with care and services based on a palliative care philosophy, and
 - x. the right to have family and friends present 24 hours a day in the event of a mental health crisis or in the case of a resident who is dying or who is very ill.
5. The right to be informed, participate in the management of the supported group living residence and make complaints, which consists of,
- i. the right of the resident to be informed in writing and to have their representative informed in writing of any law, rule or policy affecting services provided to the resident and of the procedures for initiating complaints,
 - ii. the right of the resident to participate in the Residents' Council,
 - iii. the right of the resident, including through their representative, to raise concerns or recommend changes in policies and services on behalf of themselves or others and to, without interference and without fear of coercion, discrimination or reprisal, whether directed at the resident or anyone else, express those concerns and recommended changes to,
 - A. the Residents' Council, if any,
 - B. the Family Council, if any,
 - C. the service agency, and, if the service agency is a corporation, the directors and officers of the corporation,
 - D. staff members,
 - E. government officials, or
 - F. any other person inside or outside the supported group living residence.
6. The right to have full enjoyment and security of tenure of their living space, which consists of,
- i. the right to be informed of their rights to reasonable enjoyment of the rental unit in which they live and security of tenure like others in society and to not be evicted from their home or discharged except by order of the Landlord and Tenant Board,
 - ii. the right to be informed and to have their representative informed of any intention of the service agency to apply to the Landlord and Tenant Board to request the eviction of the resident,
 - iii. the right to be informed of their rights, under the *Trespass to Property Act*, to invite or deny guests into their home, including any person who is legally authorized to care for them,
 - iv. the right to enforce their rights under this section or other prescribed rights, with or without the assistance of their representative and including by seeking a decision of a court or tribunal, and to do so without interference and without fear of coercion, discrimination or reprisal, whether directed at the resident or anyone else, and
 - v. the right to have any decision of a court or tribunal or other decision-maker with respect to the rights set out in this section or any other prescribed right implemented immediately or in accordance with the timelines set out in the decision.

Residents' Council

26.7 (1) A service agency operating a supported group living residence may establish a Residents' Council in the residence.

Only residents

(2) If a Residents' Council is established, only residents of the supported group living residence may be members.

Powers of Residents' Council

26.8 (1) A Residents' Council of a supported group living residence has the power to do any or all of the following:

- 1. Advise residents respecting their rights and obligations under this Act.

2. Advise residents respecting the rights and obligations of the service agency operating the residence under this Act and under any agreement relating to the residence.
3. Attempt to resolve disputes between the service agency operating the residence and residents.
4. Sponsor and plan activities for residents.
5. Collaborate with community groups and volunteers concerning activities for residents.
6. Advise the service agency operating the residence of any concerns or recommendations the Council has about the operation of the residence.
7. Provide advice and recommendations to the service agency operating the residence regarding what the residents would like to see done to improve care or the quality of life in the residence.
8. Report to a Director any concerns and recommendations that, in the Council's opinion, ought to be brought to a Director's attention.
9. Review the operation of the supported group living residence.
10. Exercise any other powers provided for in the regulations.

Duties

- (2) The Residents' Council shall comply with any duties provided for in the regulations.

Duty to respond

- (3) If the Residents' Council has advised the service agency of concerns or recommendations under paragraph 6 of subsection (1), the service agency shall, within 10 days after having been advised of the concerns or recommendations, respond to the Residents' Council in writing.

Minister to consult

- (4) The Minister shall consult, in a manner the Minister considers appropriate, with organizations that represent the interests of Residents' Councils on an annual basis.

Residents' Council assistant

- 26.9** (1) Every service agency operating a supported group living residence with a Residents' Council shall appoint a Residents' Council assistant who is acceptable to the Residents' Council to assist it.

Duties

- (2) In carrying out their duties, a Residents' Council assistant shall take instructions from the Residents' Council, ensure confidentiality where requested and report to the Residents' Council.

Family Council

- 26.10** (1) Every supported group living residence may have a Family Council.

Request for Family Council

- (2) If there is no Family Council for a supported group living residence, a family member of a resident or a person of importance to a resident may request that the service agency operating the residence establish a Family Council for the residence.

Service agency to assist

- (3) The service agency shall assist in the establishment of a Family Council within 30 days after receiving a request from a person mentioned in subsection (2).

Notification of Director

- (4) When a Family Council is established, the service agency shall notify a Director or anyone else provided for in the regulations of the fact within 30 days following the establishment of the Family Council.

Right to be a member

- (5) Subject to subsection (6), a family member of, or a person of importance to, a resident is entitled to be a member of the Family Council of the residence.

Who may not be a member

- (6) The following persons may not be members of the Family Council:

1. The service agency operating the supported group living residence, and anyone involved in the management of the residence on behalf of the service agency.

2. An officer or director of the service agency operating the supported group living residence or of a corporation that manages the residence on behalf of the service agency.
3. A person with a controlling interest in the service agency operating the supported group living residence.
4. A member of staff of the supported group living residence.
5. A person who is employed by the Ministry of the Minister or has a contractual relationship with the Minister or with the Crown regarding matters for which the Minister is responsible and who is involved as part of their responsibilities with matters respecting supported group living residences.
6. Any other person provided for in the regulations.

Service agency obligations if no Family Council

- (7) If there is no Family Council, the service agency shall,
- (a) on an ongoing basis advise residents' families and persons of importance to residents of the right to establish a Family Council; and
 - (b) convene semi-annual meetings to advise such persons of the right to establish a Family Council.

Powers of Family Council

26.11 (1) A Family Council of a supported group living residence has the power to do any or all of the following:

1. Provide assistance, information and advice to residents, family members of residents and persons of importance to residents, including when new residents are admitted to the residence.
2. Advise residents, family members of residents and persons of importance to residents respecting their rights and obligations under this Act.
3. Advise residents, family members of residents and persons of importance to residents respecting the rights and obligations of the service agency operating the residence under this Act and under any agreement relating to the residence.
4. Attempt to resolve disputes between the service agency operating the residence and residents.
5. Sponsor and plan activities for residents of the residence.
6. Collaborate with community groups and volunteers concerning activities for residents of the residence.
7. Review the operation of the residence.
8. Advise the service agency of any concerns or recommendations the Council has about the operation of the residence.
9. Report to a Director any concerns and recommendations that, in the Council's opinion, ought to be brought to a Director's attention.
10. Exercise any other powers provided for in the regulations.

Duties

- (2) The Family Council shall comply with any duties provided for in the regulations.

Duty to respond

(3) If the Family Council has advised the service agency of concerns or recommendations under paragraph 8 of subsection (1), the service agency shall, within 10 days after having been advised of the concerns or recommendations, respond to the Family Council in writing.

Minister to consult

(4) The Minister shall consult, in a manner the Minister considers appropriate, with organizations that represent the interests of Family Councils on an annual basis.

Family Council assistant

26.12 (1) If the Family Council so requests, the service agency shall appoint a Family Council assistant who is acceptable to that Council to assist the Family Council.

Duties

(2) In carrying out their duties, a Family Council assistant shall take instructions from the Family Council, ensure confidentiality where requested and report to the Family Council.

Service agency to co-operate with and assist Councils

26.13 A service agency operating a supported group living residence shall co-operate with the Residents' Council, the Family Council, the Residents' Council assistant and the Family Council assistant and shall provide them with such financial and other information and such assistance as is provided for in the regulations.

Service agency duty to meet with Council

26.14 If invited by the Residents' Council or the Family Council, the service agency shall meet with that Council or, if the service agency is a corporation, ensure that representatives of the service agency meet with that Council.

Attendance at meetings — service agency, staff, etc.

26.15 A service agency operating a supported group living residence shall attend a meeting of the Residents' Council or the Family Council only if invited, and shall ensure that the staff, including any person involved in the management or operation of the residence, attend a meeting of either Council only if invited.

No interference by service agency

26.16 A service agency operating a supported group living residence,

- (a) shall not interfere with the meetings or operation of the Residents' Council or the Family Council;
- (b) shall not prevent a member of the Residents' Council or the Family Council from entering the residence to attend a meeting of the Council or to perform any functions as a member of the Council and shall not otherwise hinder, obstruct or interfere with such a member carrying out those functions;
- (c) shall not prevent a Residents' Council assistant or a Family Council assistant from entering the residence to carry out their duties or otherwise hinder, obstruct or interfere with such an assistant carrying out those duties; and
- (d) shall ensure that no staff member, including any person involved in the management or operation of the residence, does anything that the service agency is prohibited from doing under clauses (a) to (c).

Immunity — Council members, assistants

26.17 No action or other proceeding shall be commenced against a member of a Residents' Council or Family Council or a Residents' Council assistant or Family Council assistant for anything done or omitted to be done in good faith in the capacity as a member or an assistant.

Duty of service agency to consult Councils

26.18 A service agency operating a supported group living residence has a duty to consult regularly with the Residents' Council, if any, and with the Family Council, if any, and in any case shall consult with them at least every three months.

Regulations

26.19 In addition to the authority to make regulations under section 26.5, the Lieutenant Governor in Council may make regulations for carrying out the purposes and provisions of this Part, including regulations,

- (a) requiring a service agency to assist in the formation of Residents' Councils and Family Councils, and governing the assistance that the service agency is required to provide to those Councils;
- (b) respecting and governing the duties of Residents' Councils and Family Councils;
- (c) providing for anything that under this Part may or must be provided for in regulations, or that is to be done in compliance with or in accordance with the regulations.

Commencement

2 This Act comes into force on the day that is 3 months after the day this Act receives Royal Assent.

Short title

3 The short title of this Act is *Andre's Law (Bill of Rights for Residents of Supported Group Living Residences), 2026.*