

## **Regulating Supportive Housing for Seniors: A Comprehensive Statute Model**

**Margaret Isabel Hall, LLB, LLM, Faculty of Law, University of British Columbia**

In September 2007 I received funding from the External Research Program of the Canada Mortgage and Housing Corporation to develop a model “comprehensive statute” (that would apply to all forms and aspects of supportive housing). The project builds on previous work I have done in this area, and indeed development of a model comprehensive statute was one option for policy makers identified at the conclusion of an earlier study (*A Legal Framework for Supportive Housing for Seniors: Options for Canadian Policy Makers, Final Report*). The current project may be summarized as follows:

**Research problem-** Provinces across Canada are currently addressing the need to develop supportive housing for seniors and, as a necessary corollary to that need, development of a regulatory framework. Effective regulation in this sector must protect the rights and interests of residents without replicating the maximum legislated standards that apply to care facilities or nursing homes. The appropriate balance is difficult to achieve. Previous research carried out by the applicant researcher indicated that a comprehensive statute provided the most workable model for regulation in this area. The proposed project would build on that work to create a model comprehensive statute that would include provisions affecting the necessary balance. The model statute and accompanying report would serve as a useful tool for policy makers working in this area.

**Scope and objectives-** An outline of a model statute would be drafted by the researcher. It is currently contemplated that the statute would contain nine major sections or parts:

- Definitions
- Rights and responsibilities of residents
- Rental accommodation (tenure issues)
- Where purchased as condominium (tenure issues)
- Where provided through life lease (tenure issues)
- Mandatory standards (general)
- Mandatory standards (assisted living)
- Information to be provided to resident
- Checklist to be provided to resident
- Scheme for accreditation

Consultation responses may result in an expansion or retraction of these parts. The draft outline will list items and/or approaches that might be included under each part. The draft outline, with explanatory notes, will be circulated to members of the National Housing Research Committee and the provincial ministries responsible for seniors for comment and feedback. Following this process, the researcher would draft a final model statute with explanatory notes. A paper explaining the reasons for proceeding with a model statute, the consultation process, and the results of that process would accompany the model.

