



Residents with Dementia **What Should a Condo Corporation Do?**

By Barbara Holmes on April 15, 2011

A recent column in the Toronto Star focused on the problems facing a condominium corporation when a resident has dementia.

As many seniors are opting for condominium living, this will be a growing concern, particularly with the baby boomers rapidly aging. A resident with dementia could create situations that are dangerous not only to the resident, but also to the other residents in the condominium - for example, increased risk of fire or water damage, aggressive/violent behaviour to others, unsanitary conditions in the unit, etc. - this is not something that can be ignored by the condominium corporation.

What should a condominium corporation do? Of course if there is a situation of imminent danger the police should be called and in certain cases a court proceeding may be necessary. Section 117 of the Condominium Act, allows a condominium corporation to bring an application where a condition exists or an activity is being carried on in a unit or in the common elements that is likely to damage the property or cause injury to an individual.

In all cases, the condominium corporation should maintain up-to-date resident information, with contact details of the resident's family members, so that when a situation of concern arises, those individuals can be reached. While most condominium corporations obtain resident information forms when new residents move in, it is advisable to circulate these forms to residents on an annual basis to ensure that the corporation has up-to-date contact information.

If there are no family members or if the family is not addressing the situation adequately, the corporation can contact the local Community Care Access Centre which may provide some assistance through community support workers.

The corporation can also contact the Office of the Public Guardian and Trustee to conduct an investigation. However the mandate of the Public Guardian is to protect mentally incompetent adults from neglect, abuse and exploitation. The Public Guardian's priority will not be to address the corporation's concerns, and as it does not offer an immediate, emergency response centre, the investigation may take some time.

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