

INFORMATION GUIDE

Incapacity to Manage Property due to mental illness.

The doctor has decided that because of your mental illness, you are not capable to manage your property (finances).

Managing property includes dealing with day-to-day matters like buying food, paying rent and paying bills. You may not be able to access your bank account or use your credit cards. The doctor does not believe that you are able to understand how to look after your property.

If you don't already have a Substitute Decision Maker for property, the Public Guardian and Trustee (a government department) will look after your property. The property still belongs to you, but the Public Guardian and Trustee will look after it for you.

You should receive a written notice (Notice to Patient – Form 33) from the doctor.

The Public Guardian and Trustee will continue to manage your property when you leave the facility if the doctor signs a Notice of Continuance (Form 24).

If you disagree with the doctor's decision that you are not capable of managing your property, you may:

- speak to the doctor and ask whether the doctor thinks that you can manage your property, or

- apply to the [Consent and Capacity Board \(CCB\)](#) for a review of the doctor's decision. The Board can decide whether you are or are not capable of managing property.

You will need a Form 18 to be reviewed by the Board. The form is available from the Rights Adviser or hospital staff or [online](#). At a hearing, you may be represented by a lawyer or represent yourself.

A Rights Adviser visits you to provide this information in a neutral and non-judgmental manner. If you decide to apply to the Board, a Rights Adviser can assist you to apply, obtain a lawyer and apply for legal aid.

Questions?

For questions and information about the Consent and Capacity Board hearings, visit their [website](#).

If you have a question about your specific legal situation, contact a lawyer.

For questions about this Information guide, visit [Ontario.ca/PPAO](https://ontario.ca/PPAO) or contact the Psychiatric Patient Advocate Office at 1-800-578-2343.

This information guide provides information only and does not contain legal advice. If at any time requirements in legislation conflict with information in this sheet, the legislative requirements prevail.