**Section 370.3070 Private Right of Action**

a) Each resident shall have the right to maintain a private right of action against a facility as described in Section 370.3070(b) through (f)

b) The owner and licensee of a facility are liable to a resident for any intentional or negligent act or omission of their agents or employees which injures the resident.

c) The licensee shall pay the actual damages, or $500, whichever is greater, and costs and attorney's fees to a facility resident whose rights as specified in the Act or this Part are violated.

d) A resident may maintain an action under this Act and this Part for any other type of relief, including injunctive and declaratory relief, permitted by law.

e) Any waiver by a resident or his or her legal representative of the right to commence an action under Sections 370.3070(b) through (f) , whether oral or in writing, shall be null and void, and without legal force or effect.

f) A licensee or its agents or employees shall not transfer, discharge, evict, harass, dismiss, or retaliate against a resident, a resident's representative, or an employee or agent who makes a report of resident abuse or neglect, brings or testifies in a private right of action, or files a complaint, because of such action or testimony.