



BED BUGS

Infestations - Rights and Responsibilities

Who is responsible when a bed bug infestation is discovered in an apartment?

If a tenant has a problem with bed bugs or other insects or pests, they should immediately inform the landlord, superintendent or property manager, who is responsible for ensuring homes are pest-free. Tenants are responsible for cooperating with the landlord's efforts to control bed bugs.

When can the landlord enter to inspect an apartment?

Landlords have the right to enter to inspect and maintain rental units. Tenants must be given notice in writing 24 hours ahead of time. Landlords can only enter the units between 8:00 a.m. and 8:00 p.m. Tenants can let landlords and pest control operators into their unit at other times, or without advance notice, but they do not have to, except in an emergency. Treating an apartment for bed bugs is not considered an emergency, so tenants should be given proper notice and adequate time to properly prepare the unit before application of pesticide.

Can a landlord evict a tenant for reporting bed bugs?

A landlord cannot evict a tenant for reporting an infestation of bed bugs. Landlords can only evict tenants after getting an order from the Landlord and Tenant Board, and only for the reasons stated in the Residential Tenancies Act.

What is the least expensive and fastest solution to controlling bed bugs?

Early detection is important to addressing an infestation. There is no fast, inexpensive solution and only licensed pest control operators should be used. If the job is not done properly, the bed bugs will come back or continue to spread. The problem will then become more serious and expensive.

What if other units have bed bugs? Do all tenants have to co-operate?

If the pest control operator believes there is a need to also treat neighbouring units, the landlord may have the right to enter to inspect and treat the neighbouring apartments as well as the affected apartment.

What if a tenant cannot or will not properly prepare their apartment for treatment of the bugs?

Proper preparation is key to successful treatment and prevention of bed bugs. Landlords should inform tenants on what they should do in order to make treatment effective. This can take a lot of work for tenants, including clearing out shelves, laundering all clothing and bedding, moving furniture away from walls and removing clutter. Many tenants will require help from friends, families or social service agencies.

Who pays for pest control costs?

Landlords are responsible for the costs of treatment. Landlords can apply to the Landlord and Tenant Board for an order to charge a tenant (extra money above rent or key deposit) if a tenant causes them needless expense, such as missing an appointment to let a pest control operator into the unit. The tenant will have a chance to explain, and the Board will decide.

What if a landlord fails to take action?

If a landlord refuses to help when a tenant notifies them of a bed bug problem, tenants may obtain assistance or advice from a legal clinic, the Landlord and Tenant Board, the Peterborough Public Health or local municipality Property Standards.

What can the Landlord and Tenant Board do for landlords or tenants?

The Landlord and Tenant Board will accept applications from either tenants or landlords. After holding a hearing, the Board can issue an order against either the landlord or tenant. If the Board determines that one person has not fulfilled their legal duty, it may issue an order such as paying less rent or demanding one person to pay money to another. The Board also has a mediation process, which may help landlords and tenants to find solutions to the problem of bed bugs.

Where can tenants and landlords get help and information?

Go to peterboroughpublichealth.ca for resources on bed bug identification, treatment, control and prevention. Licensed pest control operators understand the necessary steps to be taken. Community legal clinics can provide free legal advice to tenants.