

# Bed Bugs Info Sheet

## Q. What are my rights and responsibilities as a Tenant regarding Bed bugs?

### Rights as a tenant

1. In Ontario, most people renting are covered under the Residential Tenancies Act (RTA). Landlords have a legal obligation under the Residential Tenancies Act to maintain their properties – to do maintenance and repairs that are needed.

Section 20 of the RTA says that:

- A landlord is responsible for maintaining the units and everything in the building including lobbies, hallways, stairwells, laundry facilities, parking areas, exterior grounds, and recreational facilities (eg. tennis courts).
- These things must be in a good state of repair.
- Landlords must also meet all the health and safety standards for rental housing, including those made by both the city and the province.
- And the law considers a place 'unfit' if there is an infestation of bugs- like bed bugs

Section 22 of the RTA says that:

- A landlord shall not interfere with the reasonable enjoyment of the rental unit or building
  - So if have bed bugs and they don't do anything about it- that's interfering with your ability to enjoy your home.

The RTA also says that maintenance is not subject to whether the landlord has available funds- it is their responsibility to cover the costs.

2. In Hamilton, by-law no 4-280 (amendment of property standards bylaw No 3-117) also defines bed bug as a 'pest'
  - Bylaw 34(1) says that "every dwelling... shall be kept free of infestation by pests"

**SO THE LANDLORD HAS TO DO SOMETHING ABOUT YOUR BED BUGS BY LAW**

### Responsibilities as a tenant (related to bed bugs)

Section 33 of RTA states that tenants are responsible for the everyday maintenance of their units (ie. the ordinary cleanliness of your unit).

*(You should know that having bed bugs is **not related to how clean you are** – they are found everywhere from hostels to big hotels! One way to work towards preventing a large infestation from developing in your unit is to remove any unnecessary clutter).*

You are also responsible for bringing any problems with the unit to landlord – its best to tell them in writing, providing them with a signed and dated letter. Often landlords also have a form (sometimes

called a work order) that you can fill out to tell them about a problem. Be sure to keep copies of any forms or letters you send in for yourself!

You must allow the landlord in to inspect the apartment, provided they have given 24 hours notice.

You must also help to prepare your unit for any pest control treatments.

### Q. What to do if have bed bugs?

- First, write a letter to the landlord informing them of the problem and requesting treatment- keep a copy for yourself!
- Fill out a work order/maintenance form if your building has one- keep a copy for yourself!
- Document each time you have requested the landlord take action and their responses- document this in writing with dates, photos of the infestation could also be useful.
- Call Public Health to make a complaint and ask for an inspection of the unit (s)
- If not resolved, you can file a maintenance application to the Landlord Tenant Board
  - The LTB will determine if the landlord is not fulfilling their obligations
  - There are lots of different things the LTC can do to fix the problem, including issuing an order to the landlord to treat the units, enforcing them to comply.

### What other information do I need to know?

Folks on **OW/ODSP** can apply to use a **community start up grant** to assist in covering costs associated with treatment for bedbugs such as the replacement of mattresses. Be sure to ask your worker whether you are eligible for the grant.

Its much better if all the **tenants in a building work together** to fight bed bugs as they spread so easily- you should consider starting a **Tenants Association** as a way of organizing to speak to the landlord. According to the RTA- it is illegal for a landlord to harass you or try to evict you for being involved in a tenant's association!

*(For help starting a Tenants Association, call Meaghan at the Housing Help Centre at extension 208).*

### Q. Where can I go to get help?

#### **Housing Help Centre**

905-526-8100

210 Napier St

(If you have difficulty communicating in English, the Housing Help centre can arrange for an interpreter to speak with you using the Language Line)

#### **Community Legal Clinics**

Dundurn

905-527-4572

Mountain

905-575-9590

McQuesten

905-545-0442

[www.hamiltonlegalclinics.ca](http://www.hamiltonlegalclinics.ca)

#### **Health, Fire and Property Standards**

City Hall

905-546-2489

Property Standards

905-546-2782

Public Health (inspection services)

905-546-3570

Fire Department

905-546-3333