

Bed Bug Infestations

IN EDMONTON

LANDLORDS' Rights & Responsibilities



Bed Bugs have become a growing source of trepidation in recent years. Although they were once largely reduced in number, and thought to be eradicated in the early 1940's, over the last 10 years these insects have been increasing at an alarming rate internationally.

To assist landlords with combating the resurgence of bed bugs, we have developed a "Landlords' Rights and Responsibilities" information piece.

By working together, Landlords and Tenants can help control the spread of Bed Bugs.

Who is responsible if a bed bug infestation is discovered?

- If a tenant has discovered a problem with bed bugs or other insects or pests, they should immediately inform the landlord or property manager, who is responsible for ensuring rental units are pest free.
- Tenants are responsible for cooperating with the landlord's efforts to control bed bugs. The Minimum Housing and Health Standards, Housing Regulation ((173/1999) Section 4), Minimum Housing and Health Standards, (Section 17) states that "every tenant shall allow access for repairs or pest control treatment as per the requirements of the Alberta Residential Tenancy Act".

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 a notice in writing 24 hours ahead of time. Landlords can only enter the units between 8:00am and 8:00pm and should not enter on holidays and on the tenants' day of worship. Tenants can let landlords and pest control into their rental 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 rental unit before application of pesticide treatment.
- Refer to Section 23 of the Residential Tenancies Act.

Can a landlord evict a tenant for reporting bed bugs?

- A landlord cannot evict a tenant for reporting an infestation of bed bugs. Landlords and tenants must work together to control the spread of bed bugs.



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

- Tenants are responsible for cooperating with the landlord's efforts to control bed 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 be a lot of work for tenants, including clearing out shelves, cupboards, dressers, laundering all clothing and bedding, moving furniture away from walls and removing clutter from floors. Some tenants will require help from friends or family members.
- Pest control operators will provide tenants with a "Suite Preparation Handout Sheet" prior to treatment.
- Tenants who refuse to comply with pest treatment procedures or who will not allow pest control operators into the rental unit are at risk of being evicted by the landlord.
- Under the Residential Tenancies Act a landlord has grounds to evict tenants who refuse to comply with pest treatment procedures or who will not allow pest control operators into the rental unit for treatment. A landlord has the right to evict a tenant by way of a 14 Day Notice or can make an application at the Residential Tenancy Dispute Resolution Service office (RTDRS) for an order to evict tenants who refuse to comply with pest treatment procedures.

What if other units have bed bugs? Do all tenants have to cooperate?

- If the pest control operator believes there is a need to also treat neighbouring units, the landlord has the right to enter to inspect and treat the neighbouring apartments as well as the affected apartment.
- A 24-Hour Notice to Inspect must be given by the landlord to the tenant.

Who pays for pest control costs?

- Landlords are responsible for the treatment. In some cases they may be able to recover costs from the tenant if they can prove the tenant brought them in and if the tenant's lease says so. Proof of source of the bugs is not easy. Landlords can apply to the Residential Tenancy Dispute Resolution Service (RTDRS) or the Courts for an order to charge a tenant for costs of treatment, or for extra money above rent or security deposit if a tenant causes added expense, such as missing an appointment to let a pest control operator into the unit or has not prepared the suite as requested by the pest control operator. The tenant will have a chance to defend himself, and the hearing officer or Judge will decide.

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

- Early detection and reporting are key to addressing an infestation. There is no fast, inexpensive solution. Landlord and tenant cooperation and education are crucial in the prevention, treatment, and overall elimination of bed bugs. Only government certified pest control operators should be used. In the use of chemicals, applications should only be conducted or supervised by government certified pest control operators.
- If the job is not done properly bed bugs will come back or continue to spread. The problem will then become more serious and more expensive.



By working together... we can control the spread of Bed Bugs!