



A Guide to Living With Pests: Identification, Regulation and Treatment Options



FEDERATION OF METRO TENANTS' ASSOCIATIONS



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Disclaimer: this guide is provided for information only. It is not a substitute for legal advice on options.

1 Overview

In this guide, you will find a description of common types of household pests (found in apartment buildings and homes) and options for treatment that tenants can avail themselves of.

So You've got Pests!

- Don't panic! Figure out the best approach.
- It's the landlord's responsibility to do pest control, but there are best practices for tenants to follow.
- Document all communications with the landlord.
- If the landlord is ignoring your request for pest control, you can call the city inspectors or go to the Landlord and Tenant Board.

2 Living With Pests

What a tenant can do

Although it is important to remember that pest management is the landlord's responsibility; there are things a tenant can do or put in place to prevent the spread of the infestation or a recurrence. The following section outlines some options. This does not mean that a tenant is somehow responsible for an infestation or alleviates a landlord's legal obligation for pest control.

- Keep your unit free of clutter: boxes, food or drink containers, papers and other clutter can all contribute to an infestation.
- Clean kitchens and bathrooms regularly: often pests are attracted to warm, damp places or places where food (grease or crumbs) is available.
- Vacuum regularly: under rugs and beneath furniture.
- After travelling, check luggage carefully for the spread of pests.

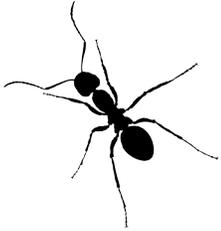
- Seal cracks and crevices with caiking; ensure that windows and doors are weather proofed (follow up with your landlord regularly on this).
- Report any infestations to the landlord right away: home remedies can be both expensive and ineffective.
- Avoid picking up mattresses and other furniture from sidewalks or the trash as pests might hitchhike on them.
- When receiving deliveries of furniture for instance, check the packaging. For mattresses, ensure the mattress comes wrapped in plastic to avoid the spread of bedbugs from the transport truck to your home.
- Store foods (grains, legumes, sugar) in sealed plastic or glass containers in kitchens.
- Ask for help! An infestation is nothing to be ashamed of: it's very common in urban areas. Reach out to friends, family or community agencies for support to manage and treat infestations.



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Common Household Pests

Ants



Ants are tiny insects and may be black, brown, red, or yellow. Adult ants range in size from as small as 1 millimetre to as large as 13 millimetres. Most ants commonly found in Canada are not aggressive, although some can sting. Ants cause little damage.

For information on types of species and strategies for prevention and treatment of ant infestations, visit the Health Canada Pest Management website at:

<https://www.canada.ca/en/health-canada/services/pest-control-tips/ants.html>

Bedbugs



Bedbugs are small, wingless insects that feed on the blood of people and animals while they sleep. They are easily moved from room to room on infested objects. Bedbugs cannot easily climb metal or polished surfaces and cannot fly or jump. Bedbug bites can take as long as 14 days to appear and may not be noticed right away because bedbugs typically feed at night when people are asleep.

Adult bedbugs can be as long as 10 mm. They have an oval, broad, flat body and a short, broad head. Adult bedbugs are brown, but darken to a blood red colour after feeding.

Bedbug eggs are white, about one millimetre long, and are almost impossible to see on most surfaces. The female bedbug lays at least 200 eggs in her lifetime, at a rate of about two to four each day. The eggs have a sticky coating and are laid in cracks and crevices, behind woodwork and other hidden surfaces where sticky eggs will adhere to. They usually hatch in 6 to 17 days.

Bedbugs can live from several weeks to up to a year and a half without feeding. Older bedbugs can go even longer without feeding. Adults usually live for around 10 months, but can live for a year or more in a home where the environment is good for reproduction.

Bedbugs prefer locations where they can hide easily and feed regularly, like sleeping areas. Their flattened bodies allow bedbugs to hide in extremely small locations: under wallpaper, behind picture frames, in electrical outlets, inside box springs, in mattress pads, baseboards and in night tables.

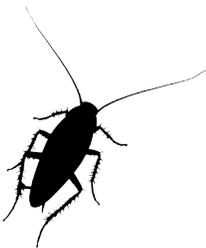
Toronto Public Health has a dedicated bedbug unit which inspects units with infestations after a complaint is received. Public Health will inform the unit owner of an impending inspection: they go out in person when they believe that

a tenant is vulnerable or if there is a disagreement between the landlord and tenant as to whether there is in fact a bedbug infestation. The Public Health office can recommend treatments (such as heat treatments or fumigation) and support vulnerable tenants with unit preparation. It is generally recommended the tenant with bedbug infestations throw out their mattress or purchase a mattress protector; wash clothes in hot water and dry on high heat and store in sealed plastic bags and check luggage after travelling or visiting public places. Tenants should exercise caution before discarding furniture which can be treated. Sometimes, new (replacement) furniture can also get infested if the bedbug infestation has not been dealt with.

Visit the website for Toronto Public Health for more information, including steps to prevent and treat bedbugs: <https://tinyurl.com/pests-bedbugs>

Sometimes, people try home remedies to treat bedbug infestations, believing them to be effective, but these may not work. Only undertake a remedy if recommended by a professional. For specific strategies for prevention, treatment and coping with bedbugs as well as materials in second languages, visit the Health Canada Pest Management website at: <https://www.canada.ca/en/health-canada/services/pest-control-tips/bedbugs-what-are-they.html>

Cockroaches



Cockroaches rarely cause structural damage. They can, however, contaminate food and spread disease by walking over, and excreting on, food or food preparation areas after having travelled through garbage and/or sewers. People with asthma may have a negative reaction to their droppings (feces) and body parts.

Cockroaches will live in any area where food, water, and shelter are available. They are attracted to buildings because of the warm, damp conditions offered by kitchens, bathrooms, basements, and plumbing areas. Their presence does not necessarily mean unclean conditions exist.

Roaches and their egg cases can hitch a ride into your home on various objects (including used furniture, food items, empty beer and soft drink bottles, and shipping cartons). Once inside a building, they travel quite easily. Since cockroaches are most active at night, they may go unnoticed for some time. Cockroaches are attracted to food sources that contain starches, sugars, and protein, but will eat almost anything when hungry.

For specific strategies on prevention and treatment of cockroach infestations, visit the Health Canada Pest Management website at: <https://www.canada.ca/en/health-canada/services/pest-control-tips/cockroaches.html>

Rats and Mice



The house mouse has large ears and is light brown to dark grey, with a lighter colour on its belly. It is often found in urban areas. A rat is larger than a mouse and can weigh up to 0.5 kilograms (1 pound). Depending on the species, rats can burrow in baseboards or infest roofs, rafters and attics. Knowing the type of pest you have can help you figure out the best approach to controlling them. (For example, a rat trap is too large to kill a mouse.). Mice and rats are carriers of disease, and can damage property.

Scampering and scratching sounds in the walls of your home at night, signs of gnawing or chewing, or damaged food packages can mean you have an infestation of mice or rats. Other signs include droppings and urine, burrows or holes in and around foundation walls, or tracks on dusty surfaces.

Mice and rats are prolific breeders; it is therefore best to tackle the problem of occasional invaders right away to avoid a severe infestation.

For specific strategies for prevention and treatment of a rat or mouse infestation, visit the Health Canada Pest Management website at: www.canada.ca/en/health-canada/services/pest-control-tips/rats-mice

For more information on common pests, visit: www.canada.ca/en/health-canada/services/pest-control-tips

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Dealing with Pests

I'm about to sign a lease/ move into an apartment, what can I do to make sure there are no pests?

In order to be proactive, before you take the apartment, consider:

- Thoroughly inspect the apartment before committing to take it for pests or signs of pests.
- Talk to your prospective neighbours. Often, other tenants will be happy to tell you if there are pests in the building and how the landlord deals with complaints.
- Check the City of Toronto Apartment Standards website for prior work orders for that address to investigate if there were any pest infestations.
- Also consider checking the bedbug registry for bedbug infestations. Although the data is self-reported, it is nevertheless a good resource for prospective tenants.

My landlord did not divulge that there is / was a pest infestation in the apartment when I applied/ signed my lease, what are my rights in this situation?

Unfortunately a landlord does not have a legal obligation to divulge to a prospective tenant that there is or ever was a pest infestation in their unit, or the building. It does not automatically release a tenant from a lease if they discover an infestation when they take possession of the unit. It does however create an obligation on the landlord to resolve the infestation.

Who is legally responsible for dealing with pests in my unit and building common areas?

According to the City of Toronto Municipal Code, Chapter 629, it is a landlord's responsibility to keep the apartment free of pest infestations. The bylaw reads:

"All properties shall at all times be kept free of rodents, vermin, insects and other pests and from conditions which may encourage infestation by pests."

Where can I get more help if the landlord does not treat a pest infestation?

You can:

- Call 3-1-1 and make a complaint with Property Standards who will investigate and send an inspector to make an in-person inspection.

- For bedbug infestations, you can also contact Public Health at 416-338-7600.
- You can file a T6 application for Maintenance and Repairs at the Landlord and Tenant Board.
- You can contact the Centre for Equality Rights in Accommodation if you have environmental/ chemical sensitivities related to proposed treatment options or other human rights concerns by calling 416-944-0087.

If I notice a pest infestation, what do I do?

Although pest management is ultimately a landlord's responsibility, there are some legal obligations that you have as a tenant in this situation which are as follows:

- It is useful to document the problem. You can do this by:
 - Taking pictures.
 - Making videos.
 - Saving receipts for sprays, traps and other out-of-pocket expenses you have incurred.
- Make a written complaint to the landlord:
 - Writing a letter and saving a copy.
 - If you fill out a work-order provided by the landlord for maintenance (though this is not legally required), please make a copy of the completed work-order for your file.
- If a landlord is arranging to treat a unit for a pest infestation, unit preparation is a tenant's responsibility, however:
 - A landlord must provide at least 24 hours written notice before entering the unit to treat a pest infestation. The notice must state a cause, date and time for entry.
 - A landlord must notify a tenant ahead of time as to what is required of them to prepare the unit (such as emptying cabinets, removing furniture from walls, etc.)
 - If a tenant is unable to comply with the request from the landlord to prepare the apartment due to a human rights concern, they can reach out to Toronto Public Health and to the Centre for Equality Rights in Accommodations.

If I involve the City (property standards), what can they do for me?

The Property Standards inspector is supposed to call you back within 3-5 business days. Your landlord is notified of the complaint and you have to be at home to let the inspector in (in fact this is recommended). If the inspector believes there is an infestation, they can issue an order against the landlord and schedules a follow-up visit. The landlord must provide the city with a copy of a pest management plan prepared by a licensed company. The inspector can ask the landlord to seal cracks or crevices and also tackle garbage pile-ups on the building exterior, to treat the problem at the source. Though this is a recommended best practice, the city cannot currently order a landlord to proactively treat an entire building or spray adjoining units.

In some cases, the city inspector can flag the building for inspection through the city's audit program.

For more information about how Property Standards works, call the Tenant Hotline at 416-921-9494.

I have a chemical/ environmental sensitivity or a disability, what are my rights in regards to treatment of pest infestations?

Chemical and environmental sensitivities are recognized by both the Ontario and Canadian Human Rights Code. As such, your landlord does have an obligation to provide reasonable accommodations to the point of undue hardship when carrying out repairs, maintenance or renovations. In case of pest management, the landlord may have to work out an alternative form of treatment (such as heat treatments) or provide you another place to stay for the duration of the treatment.

Although the law is clear, there are several practical considerations when advocating for accommodations for a chemical sensitivity. Often, tenants cannot identify exactly what is making them sick or how to remedy the problems. Often, landlords do not believe that chemical sensitivities are a genuine concern and doctors do not provide appropriate documentation. To that end:

- Keep all requests for accommodations and related correspondence in writing.
- Talk to your doctor: a medical note does not have to provide a diagnosis, but it does have to show what accommodations are needed.
- With the support of your doctor, identify potential solutions and accommodations.

If a person is unable to prepare an apartment or undertake other activities related to pest management (such as moving or laundry) due to a disability, the landlord may have a duty to accommodate. A landlord may be legally required to pay for assistance to accomplish these tasks.

To learn more about chemical sensitivities and your landlord's obligations, contact the Centre for Equality Rights in Accommodations at 416-944-0087 or visit their website at: http://www.equalityrights.org/cera/?page_id=674

I would like to file an application at the Landlord and Tenant Board, what does that involve?

A tenant whose landlord has not dealt with a pest infestation (or made other repairs) can always file a T6 application for Maintenance and Repairs at the Landlord and Tenant Board. To find out more about the application process, what evidence to include and what remedies you can ask for, please call the tenant hotline at 416-921-9494.

Other notes about the Landlord and Tenant Board:

- Withholding rent leaves a tenant open to the possibility of facing an eviction for non-payment of rent. It is a risky option.
- Once per tenancy, a tenant has the option to pay their rent directly into the Landlord and Tenant Board when they fill out a T6 application. The board will hold the monies paid into it in trust until the matters before the Board have been dealt with.
- The LTB has to put in place any accommodations you may need if you have a documented disability in order to facilitate your participation in the hearing and other processes.

For More Information:

The following agencies can provide more information:

1. Tenant Hotline (Federation of Metro Tenants Associations): 416-921-9494
2. Landlord and Tenant Board: 416-645-8080
3. Property Standards: 311
4. Public Health: 416-338-7600
5. Centre for Equality Rights in Accommodation: 416-944-0087

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