



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP, OLC and RR

Introduction

This matter was originally set for hearing on August 15, 2012 and was adjourned to the present session when the allotted hour elapsed.

However, as noted in my Interim Decision of August 15, 2012, the tenant's application had dealt with the urgent matter of bed bugs in the rental unit and I ordered the parties to address inspection and treatment expeditiously.

At the heart of the dispute was the tenant's belief that the landlord had delayed addressing her reports of bed bugs in the rental unit during an episode some months earlier and a more recent problem of several weeks.

The landlord was of the view that the tenant had contributed to the delays by not preparing the rental unit for inspection and treatment, supported by reports from pest control officials stating that clutter made inspection and treatment challenging.

The tenant stated that her disability had precluded her doing the preparatory work and the landlord had made matters more difficult by not accepting her doctor's verification of her disability to establish her need for assistance from the landlord.

During the August session of the hearing, the parties agreed that the Operations Manager, Health Services Coordinator and Tenant Support Worker would meet with the tenant and a support person of her choice at the rental unit on August 17, 2012 to draft a treatment schedule.

As a result, the tenant support worker met with the tenant on August 20, 2012, confirmed the tenant had obtained rubber containers as arranged as had the support worker, and both worked on preparations. According to the operations manager, the support worker spent a total of 20 hours assisting the tenant.

On September 5, 2012, workers provided by the landlord moved plants, bed and flammable goods to a vacant unit in preparation for a chemical and heat treatment the following day, the latter of which cost \$1,400 according to the operations manager.

The tenant was provided with another unit to stay in on the nights of September 5th and 6th and movers returned her belongings to the rental unit on September 7, 2012.

On September 13, 2012 the pest control company conducted a K-9 assisted inspection. Although the subject rental unit was cleared, bed bugs were found in the adjoining unit. As a preventive measure, the baseboards on the common wall were silicone treated and any apparent cracks repainted, followed by chemical and steam treatments.

The tenant's advocate noted that on September 20, 2012, the tenant had reported finding a bed bug in the bathroom and he was concerned that the subsequent treatment had dealt only with the common wall and not the bathroom. The landlord stated that, following press reports, they had been contacted by environmental authorities and cautioned against treating areas other than where there had been confirmed findings of bugs.

On September 25, 2012, the day of the hearing, the landlord advised that the pest control company had done a further inspection shortly before and found no evidence of bed bugs in the subject rental unit.

The tenant's advocate stated that the tenant's preferred outcome of the present hearing was simply the landlord's assurance that any future reports she made of bed bugs be taken seriously. I am persuaded that the landlord fully intends to do so, and the tenant might wish to consider waiving the notice requirement to facilitate timely verification.

The tenant's advocate also noted that the bed bug found in the bathroom may have entered through the bathroom vent and the operations manager stated that she would pass the suggestion to the pest control experts for their consideration.

As the applicant tenant requested nothing further, I have closed the file with the notation that the present application has been settled.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: September 25, 2012.

Residential Tenancy Branch