

POLICY STATEMENT #21 – VERMIN AND BUG INFESTATIONS

The Board of Directors of CCC No 486 is committed to ensuring a safe and healthy environment to all Westpark Residents, guest, contractors and staff members. With this in mind, the following Rules are being adopted to deal with any infestation of pests, insects, rodents or other vermin including without limitation: bed bugs, cockroaches, and fleas in any unit in the building:

Education

1. The Corporation shall from time to time issue Information sheets to inform and educate its' Residents in matters pertaining to infestations. One such Information Sheet has been delivered door to door in February 2011 and is also available for pick-up from the Superintendent's office during regular office hours. A copy of the bed bug Information Sheet is attached hereto for your reference;

Duty

2. No unit owner shall permit or suffer and shall immediately report to the Board of Directors or building Property Manager the infestation of his or her unit and any exclusive use common element area appurtenant thereto, including lockers and storage units, of any pests, insects, rodents or other vermin including without limitation: bed bugs, cockroaches and fleas.

Where a unit is occupied by a Tenant, the Corporation shall notify the Unit Owner of the infestation and shall keep the Unit Owner apprised of the developments throughout the course of treatment and re-inspections. The unit owner shall be solely responsible for all required notices to the tenant for compliance with the required remedial measures to test and eliminate any possible infestation, including without limitation ensuring the Corporation and its agents have all required access to the premises.

Inspections

3. The unit for which a report of an infestation has been received shall be inspected by a pest control contractor retained by the Condominium Corporation to determine whether such an infestation is confirmed in the unit and if so, determine the required course of action to control and eliminate the infestation;
4. All adjoining units, 8 units surrounding the affected unit – i.e: units on either side of the affected unit, the unit one level up, the unit one level down and four units

diagonally abutting the affected unit one level up and one level down will be inspected, as well as any exclusive use common element area appurtenant to an affected unit;

5. Should an infestation be confirmed in any adjoining unit, such similar surrounding units and common element areas appurtenant to such units shall also be inspected and tested by the pest control contractor;
6. This inspection process of the surrounding units for each newly affected unit shall be continued for each such surrounding unit until no new infestations are identified;

Treatment

7. The resident for any unit confirmed to have an infestation will be issued written instructions by the pest control contractor as to the preparations required to be carried out by the unit resident prior to pesticide application by the contractor;
8. Common element hallways leading from the elevator to the affected units shall also be treated by the contractor.
9. In the case of a bed bug infestation, the Board of Directors may, if deemed necessary, direct that Residents of an affected unit cease using the Corporation's recreational facilities, including but not limited to the Party Room, until such time as the treatment of their affected unit has been completed and the final testing and retesting of their unit has confirmed the infestation has been fully and finally eradicated;
10. Where recommended by the pest control contractor, to rid an affected unit of any furnishings, flooring and personal property then the unit owner shall comply as so directed by the Board or building Property Manager. All contaminated items to be removed from a unit, must be fully sealed in a plastic wrapping prior to removal and must be carried directly to an outside designated disposal site. Such items shall not be disposed of down the garbage chute and shall not be left in the building's main garbage containers in the basement;
11. In order to avoid spreading pesticide resistant vermin and bugs, it is imperative that the owner shall not attempt any self help remedies, or hire any third party exterminators to handle suspected infestations. There are strict guidelines in place to regulate the application of pesticides. These regulations only allow licensed pest

control contractors to apply and re-apply pesticides in affected units at minimum 30-day intervals. A failed attempt to deal with an infestation creates a 30 day waiting period for a re-treatment and cause a pesticide resistant infestation to breed..

Cost of Treatment

12. The full cost of an in-unit pesticide treatment is the responsibility of the unit owner whose unit is being treated requiring treatment, together with the cost of testing the surrounding units shall be recovered from the infested unit levied as a common element charge against such unit.
13. Cost of treatment of common element areas surrounding an infested unit shall also be recovered against the unit owner who is identified by the pest control contractor as the most likely source of the original infiltration, as a common element levy charge against the unit.

Compliance

14. Any unit owner who intentionally or repeatedly fails to comply fully with written instructions provided by the pest control contractor to prepare the unit for pesticide application or refuses access to perform a required pesticide application shall be charged the total cost of the contractor's cancelled visit, and when deemed necessary by the Board of Directors, the cost of a third party contractor to ready the unit for treatment, as well as the full cost of the rescheduled visit.
15. In addition, such unit owner shall be charged the Corporation's full legal costs on a full indemnity basis to obtain a compliance order, as may required in the case of any repeated non-compliance by a unit owner with the pest control contractor and Board of Directors' direction

Re-testing

16. In the case of bed bug infestations, after fumigation or treatment of an infested unit has been completed the infested unit will be retested until it is finally confirmed to be negative of all infestation as follows:
 - a. 30 days following the last fumigation treatment;
 - b. 6 months after the last fumigation treatment;
 - c. 12 months after the last fumigation treatment; and

d. 18 months after the last fumigation.

17. Provided that a unit tests negative on all four testing following the last fumigation, then, the unit shall be deemed to be fully and finally free of such infestation.

Legal Ramifications

18. Where deemed necessary due to health concerns or recurrent non-compliance issues, or based on the severity of the infestation, the Condominium Corporation may contact the City of Ottawa Health Department to obtain additional guidance and support for the affected unit owner;

19. Where deemed necessary due to health concerns, the emergency contact person listed in the Corporation's Owner Register may be contacted to provide to request assistance for the affected unit owner;

Status Certificate

20. A clause shall be inserted into Status Certificates for any infested unit which has been tested positive for an infestation in the 18 months immediately preceding the request for a Status Certificate.

Adopted by Board of Directors on February 14, 2011