



## STAFF REPORT ACTION REQUIRED

### The City of Toronto's Approach to Bed Bug Control

<b>Date:</b>	October 31, 2012
<b>To:</b>	Community Development and Recreation Committee and Board of Health
<b>From:</b>	Deputy City Manager, Cluster A (for The City Manager) Medical Officer of Health
<b>Wards:</b>	All
<b>Reference Number:</b>	16412

#### SUMMARY

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Over the past decade there has been a resurgence of bed bugs throughout North America. Although bed bugs are not known to spread diseases to humans, the stress and anxiety of dealing with infestations may have a negative impact on people's mental health and well-being. Although bed bugs can affect any socio-economic group, the time-intensive and expensive control methods are such that low-income, elderly and other vulnerable populations require additional supports to combat infestations successfully.

Many City of Toronto divisions, agencies and boards have been involved in responding to bed bug issues and complaints, and in facilitating or ensuring effective control. Municipal Licensing and Standards (MLS), Shelter, Support and Housing Administration (SSHA), Toronto Community Housing Corporation (TCHC) and Toronto Public Health (TPH) have been at the forefront in the fight against bed bugs. Each has an important role to play, and multi-departmental coordination currently exists when mandates intersect.

This report outlines the City of Toronto's current approach to bed bugs across four key control mechanisms: (1) public awareness, education and prevention; (2) data collection and reporting; (3) direct supports to residents; and (4) enforcement. A number of enhancements to the City's bed bug control approach are currently underway with respect to each of these four mechanisms, including improved reporting and data collection in TPH, software functionality improvements in MLS, new knowledge base development in 311 Toronto, amended waste collection by-laws, and improved overall corporate oversight and governance.

## **RECOMMENDATIONS**

**The Deputy City Manager, Cluster A, and the Medical Officer of Health recommend that:**

1. The Community Development and Recreation Committee and the Board of Health receive this report for information.

### **Financial Impact**

There are no financial implications resulting from the receipt of this report. The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## **DECISION HISTORY**

There is a history of reports, decisions and recommendations made by the Board of Health and City Council regarding bed bug control activities dating back to 2008.

On April 30, 2012, the Board of Health requested the Medical Officer of Health, in consultation with the Executive Director, Municipal Licensing and Standards, and General Manager, Shelter, Support, Housing and Administration to consider other mechanisms for enforcing appropriate treatments and best practices for bed bug strategies in multi-residential buildings, such as conditions in housing allowance agreements, and to report back to the Board of Health for its meeting on September 24, 2012.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.HL13.3>

On July 11, 2012 City Council requested the City Manager and the Medical Officer of Health to report on a coordinated, multi-program plan for bed bug control to the Board of Health and the Community Development and Recreation Committee in the fall of 2012.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.MM25.44>

This report is a response to these two requests.

## **ISSUE BACKGROUND**

Over the past decade, there has been a resurgence of bed bugs throughout North America. TPH and other City partners continue to receive a significant number of requests from members of the public for support, advice and service regarding bed bugs.

Bed bug infestations in Toronto occur in all parts of the city and across all social and economic strata. City partners (including MLS, SSHA, TCHC and TPH) coordinate the

activities that fall within their respective mandates to support residents in controlling bed bug infestations.

## **COMMENTS**

Bed bug infestations are complex and complicated, especially for vulnerable clients including the frail, elderly and those with underlying physical and mental health issues. A recent case scenario illustrates how coordination by City of Toronto departments can provide appropriate supports to a complicated case.

Following a routine annual inspection by TCHC, staff identified a tenant with multiple issues involving animal hoarding, poor air quality, excessive and hazardous waste, unsafe living conditions and extreme bed bug and cockroach infestations. A Superintendent requested the assistance of both MLS Investigation Services and the TPH Bed Bug Team. As the tenant was initially uncooperative, a Property Standards Order was issued. The effect of this was persuade the tenant to engage in a plan to remedy the condition of the unit and access community services to address her mental health issues. Following this coordinated intervention, the infestation was successfully controlled, the mattress and bedding were replaced and the animals surrendered to Toronto Humane Society.

Through a coordinated approach, City partners were able to use a number of mechanisms to successfully prevent eviction and facilitate a positive outcome for both the tenant and the animals involved.

## **Four Key Bed Bug Control Mechanisms**

Effective bed bug control requires early detection, timely action, effective treatment and ongoing prevention. The City of Toronto has four key control tools or mechanisms to this effective control: (1) public awareness, education and prevention; (2) data collection and reporting; (3) direct supports to residents; and (4) enforcement.

Public awareness, education and prevention is the most important tool in the effective control of bed bugs. People need to be aware of the signs of bed bugs and of what they can do if they suspect an infestation. Similarly, landlords need to understand their responsibilities and methods of bed bug control such as regular inspection, removing clutter and sealing up cracks in walls and baseboards, vacuuming, and the use of insecticides and other chemical treatments by a licensed pest management service provider.

Enhanced data collection and reporting may allow the City of Toronto to develop better intelligence on bed bug trends so it can deploy resources to achieve improved bed bug control.

Effective bed bug prevention and control cannot occur without the appropriate and cooperative effort of all relevant parties, including the landlord, tenant and other stakeholders. The City of Toronto has a number of enforcement tools at its disposal to intervene to require cooperation when all other efforts have failed.

## **Public Awareness, Education and Prevention**

Effective bed bug control, especially in multi-residential settings, requires a coordinated, cooperative effort between tenants, landlords, property managers, building staff and adjoining residents. Given that treatment methods are time-intensive and expensive, and that no single method is effective, public awareness, centred on prevention, is key. People need to be aware of how they can avoid encountering bed bugs in the first place and what to do if their living space becomes infested.

The City of Toronto provides education and outreach to residents and stakeholders to enhance awareness and knowledge in the identification, prevention and control of bed bug infestations. This includes providing information, advice and guidance, workshops, and public information sessions. In addition to knowing what they can do to reduce their likelihood of experiencing bed bugs, residents need to know what specific supports, services, programs and other initiatives exist to help them to deal with a bed bug problem quickly and effectively. Since prompt action and good information are the most effective way of addressing the problem of bed bugs, the City's role in working with the community to improve public education and awareness of bed bugs is the most important bed bug control mechanism of all.

In 2013, TCHC will be introducing a new comprehensive pest management strategy. This strategy will be developed with the input of tenants, staff and key stakeholders and will include a portfolio-wide education program for tenants and staff. The education program will include tenant education sessions, staff training, standardized preparation materials and visual resource tools.

TPH has developed a number of resources (e.g. fact sheets) on the identification, prevention and control of bed bugs for a variety of stakeholders such as tenants, landlords, property managers and healthcare providers which is available on the TPH web site and also on the provincial bed bug site ([www.bedbugsinfo.ca](http://www.bedbugsinfo.ca)).

It may be useful to consider the value of developing an on-line City of Toronto corporate bed bug portal to provide information and resources to the public and stakeholders as they relate to the four key bed bug control mechanisms of: (1) public awareness, education and prevention; (2) data collection and reporting; (3) direct supports to residents; and (4) enforcement.

The City has recently developed a strategic corporate statement, "A Guide to Good Practice: Providing Equitable Services to Individuals of All Abilities" to ensure that City staff provide the best possible services and supports to residents. As the population of

Toronto ages and becomes increasingly diverse, City staff have to be aware of, and be responsive to, emerging community health issues, including dementia, diminished capacity and a range of mental health issues. Staff must be sensitive to the needs and circumstances of all residents, and do everything possible to ensure that residents truly understand what action the City is taking and why. This tool is available to help all City partners as they work to support all residents, including those coping with bed bug infestations.

As 311 Toronto increasingly becomes the single entry point of contact for Toronto residents in the dissemination of information, the role of 311 in terms of the City's overall approach to bed bug control will be reviewed and the existing knowledge base updated. At present, calls to 311 Toronto related to bed bugs are re-directed to TPH's Toronto Health Connection. The issue with all calls being referred to TPH is that many calls are not from, or on behalf of, vulnerable clients (outside TPH's mandate). As the City moves toward 311 becoming the single point of contact, City staff will expand the knowledge base on bed bugs to allow for a better flow of information and referral to the public. Staff are working with 311 to discuss other possible enhancements to the role of 311 related to public awareness, education and prevention related to bed bugs.

## **Data Collection and Reporting**

The scale and complexity of the bed bug issue in Toronto has been difficult to measure and demonstrate. Under-reporting, selective or non-specific data collection, and limited information sharing have all been obstacles to establishing complete and accurate intelligence, but a number of improvements are underway.

MLS enforcement officers conduct property inspections using a remote computing system to capture specific property standards violations. Although officers can capture a "pest" violation, the software is not currently set up to allow officers to distinguish the type of pest in a way that would allow for an automated tracking of Orders related to bed bugs. MLS is currently working with the City's Information and Technology Division to modify the data collection process such that the data captured by MLS officers in the field can be separated based on the type of pest (e.g. bed bugs, cockroaches, etc.). This will result in better information on the extent of the bed bug problem in Toronto.

TCHC is the largest Social Housing provider in Canada and the second largest in North America. It is home to approximately 164,000 low- and moderate- income tenants in over 360 multi-residential buildings. TCHC has contracts with pest management service providers that have specific provisions related to data collection and reporting. This includes quarterly reports on all pest control activities portfolio-wide, as well as specialized reporting upon request. This data is tabulated in quarterly and annual reports to the Board of Directors.

Toronto Public Health currently tracks the number of requests for service received regarding bed bugs and is in the process of developing a new data collection tool that will

allow for much more detailed information related to bed bug investigations. TPH has also developed working case definitions that can be easily standardized and used by other City partners in data collection and reporting activities.

It is challenging to collect accurate data on the level and degree of bed bug infestations in Toronto for many reasons. Tenants, due to fear of eviction or other reprisal, may not report incidents of bed bugs. The stigma attached to having bed bugs can also be a deterrent to reporting, and there may also be confusion about whether the problem they are experiencing is from bed bugs or another kind of pest. Underreporting can also result when the tenant and/or property owner addresses infestations independently.

Each City program area collects data and reports on bed bug incidence relative to its mandate, authority and population served. These programs are working collaboratively to enhance these mechanisms and to share data in order to better understand the extent of the problem in Toronto and the effectiveness of interventions. All stakeholders will meet quarterly through the Toronto Bed Bug Working Group (co-chaired by the two signatories to this report) to review data, address emerging issues and evaluate the success of current strategies.

## **Direct Supports to Residents**

Although many residents combat bed bug problems effectively on their own, some vulnerable populations may require additional support, assistance and access to services. This is particularly the case with residents who lack the financial, physical or mental capacity to prevent or address bed bug infestations effectively on their own.

Toronto Public Health has in place a Bed Bug Team comprised of six public health inspectors, one manager, one support assistant and 3 public health nurses. This team has a mandate to respond to bed bug infestations affecting the city's most vulnerable populations through inspections/investigation, unit preparation (such as de-cluttering and extreme cleaning), nursing assessments (underlying health issues and referrals to health care and social supports), and supplies and equipment as required (such as bedding replacement).

TPH was successful in securing base funding for its Bed Bug Team, at a cost-share with the City for a total of one million dollars annually (Ministry of Health and Long-Term Care 75% or \$750,000 and City of Toronto 25% or \$250,000). This funding supports the cost of staff, as well as the costs associated with extreme cleaning, unit preparation and supplies for vulnerable clients.

Subject to eligibility under provincial legislation, Toronto Employment and Social Services may issue the Community Start Up and Maintenance Benefit (CSUMB) to Ontario Works (OW) participants who have lost mattresses or other furniture because of bed bugs. The Province of Ontario is eliminating CSUMB, effective December 31, 2012. Under a new consolidated program, Community Housing Prevention Initiative, funding

will be made available to the City to administer a new Housing Stabilization Fund. As of January 1, 2013, and subject to eligibility, OW participants will be able to access this fund to replace furniture lost to bed bugs. However, the overall funding envelope is smaller and will be expanded to cover Ontario Disability Support Program (ODSP) participants, so there will be less direct individual support available. As direct financial supports are often used in combination with social assistance funding to replace bed bug infested mattresses and bedding, the cancellation of CSUMB will have a compounded negative impact, as fewer total resources will be available to address the need.

Supporting tenants who are experiencing bed bug infestations is a priority for Toronto Community Housing. Using the Integrated Pest Management Protocols, as set out by the Structural Pest Management Association of Ontario and the National Pest Management Association, TCHC contracts with licensed pest management service providers to monitor, prevent and successfully control bed bug infestations in both units and common areas. TCHC works closely with tenants and pest control specialists to investigate infestations, develop action plans, support tenants accessing community health and mental health services, and provide comprehensive quality assurance checks on pest control providers. Partnerships with other City divisions and such as MLS, SSHA, and TPH are essential to successful interventions, particularly in more challenging cases.

When vulnerable tenants are faced with an infestation, TCHC works very closely with Toronto Employment and Social Services, MLS and TPH to ensure residents have access to all possible supports. TCHC's bed bug protocols meet and exceed industry standards, but work is currently underway to increase accountability, ensure consistent and thorough responses and generally provide a higher level of support to TCHC tenants facing bed bug issues.

SSHA operates or supports 57 homeless shelters across the City and requires that all have contracts in place with licensed pest management control providers and a scheduled inspection and treatment plan. In addition to regular inspections and immediate treatment, shelters employ a number of proactive and preventive measures including: screening at admission, conducting visual inspections of bed frames and furniture, providing bed bug proof mattresses and box spring encasements, applying caulking in buildings where needed, and ensuring that replacement flooring and furniture is bed bug resistant.

Under the requirements of the Ontario Housing Services Act, SSHA administers housing allowance and rent supplement programs. Through agreements, the City contracts with landlords to provide housing to residents who are eligible for rental assistance. The current provisions of the housing allowance agreements allow for termination in circumstances where landlords fail to maintain their units adequately. However, to date there has not been a case of bed bug infestation requiring the use of this enforcement mechanism. Therefore, although there are no bed bug specific provisions in housing allowance agreements, the current provisions related to unit maintenance appear to be sufficient, which suggests that the use of housing agreements as an additional enforcement mechanism is not required.

Through allocations under the Provincial Consolidated Homelessness Prevention Program and the City of Toronto – Homeless Initiatives Fund, SSHA provides funding to community partner agencies for extreme cleaning supports for households facing eviction due to unsanitary housing conditions, which can involve bed bug infestations.

Toronto Long-Term Care Homes and Services (LTCHS) operates ten long-term care homes in Toronto. Each home has an integrated pest management control plan in place that includes routine inspections and immediate treatment of any infestations. The Division also provides support to seniors living in the community through two initiatives: Supportive Housing, and Homemakers and Nurses Services. Where bed bugs are identified in the home, staff work with partners to support the senior in controlling the infestation by ensuring access to appropriate resources.

A number of City program areas provide direct supports to Toronto residents facing bed bug infestations. As part of the improved coordination efforts currently underway, there is a commitment from partners to review these direct supports on a quarterly basis to identify issues and share best practices at the Toronto Bed Bug Working Group.

## **Enforcement**

Effective bed bug control requires the cooperation and commitment of tenants, landlords, pest management service providers and support agencies. Each has responsibilities to prevent infestations and support treatment.

In cases where tenants or landlords fail to meet legal obligations under the Ontario Residential Tenancy Act (RTA), remedies exist to ensure all parties fulfill their relative obligations. Under the RTA, tenants are responsible for promptly notifying their landlord of bed bug issues, preparing the rental unit thoroughly, and cooperating with the pest control process fully. Landlords are responsible for maintaining the residence fit for habitation and in a state of good repair, as well as for complying with all health, safety, housing and maintenance standards. In the case of bed bugs, this means landlords are required to provide licensed pest control services.

The City of Toronto currently has two enforcement streams available to address bed bug issues. Under the Ontario Health Protection and Promotion Act, TPH Inspectors can issue Section 13 Orders requiring the elimination of any condition deemed a health hazard by the Medical Officer of Health. Under the Building Code Act, MLS Officers can issue section 15.2 Orders requiring repairs to be made to comply with municipal property standards by-laws (Municipal Code Chapter 629 - Property Standards).

The issuing of Section 13 Orders is rare but may occur when TPH efforts to educate tenants or landlords are not acted upon adequately (i.e. non-compliance), and to mitigate the risk of migration to surrounding units. In some cases it is the landlord that requests a Section 13 Order to help them address the issue of bed bug infestations involving a tenant.



Under the City of Toronto Municipal Code Chapter 629, Property Standards, all property owners are required to keep their property free of pests and from conditions that may encourage infestation by pests (629-9). Tenants are also obligated to keep their unit clean and to cooperate with the property owner to comply with all property standards (629-6). When MLS Officers inspect a property and find bed bugs, or receive a complaint of bed bugs, they may issue a Section 15.2 Order to comply under Chapter 629, requiring that the pests be removed. The Orders may be issued to the landlord or the tenant or both, depending upon the specifics of the case. The time for compliance is at the discretion of the Officer, but is generally at least 21 days in non-emergencies. Property Standards Orders may be appealed to the Property Standards Committee, in which case compliance may be delayed.

In the context of bed bugs, enforcement is used judiciously and only in circumstances where it is needed to achieve a successful outcome. In the case of vulnerable populations with reduced capacity to respond to infestations, enforcement may not be the best solution. These residents may not understand the Order or the expectation of the City or the property owner, or their responsibility to remedy the issue. The appropriate intervention in these cases is for staff to work with City partners to link residents with the services they need.

At present, any complaint received by the City through the 311 service is directed to TPH. Further, any case that comes to the attention of MLS is referred to TPH to engage their expertise. This response protocol is currently under review and is expected to change to reflect a more collaborative approach from the various City divisions, agencies and boards, each bringing to bear their respective expertise, in a coordinated way, to address specific problems.

The Multi-Residential Apartment Building (MRAB) Audit Program was launched in December 2008 to inspect the rental housing stock across Toronto. As of October 19, 2012, 775 multi-residential buildings have been audited. With a focus on buildings containing more than six residential rental units, the MRAB team inspects the common elements in the buildings, encourages landlords to make repairs, and issues Section 15.2 Orders to comply with Chapter 629, Property Standards. The MRAB team knocks on doors and encourages tenants to disclose problems related to their unit or to the building, which are then followed up on with landlords and property management.

MLS is currently working with Solid Waste Management Services to amend the waste collection by-laws (Chapters 841 and 844 of the Toronto Municipal Code –Waste Collection – Commercial and Residential Properties, respectively), to improve the disposal of bed bug infested items. Staff are considering amendments to make it an offense for Toronto residents to knowingly put out for collection bed bug infested items that are not encased and sealed in plastic.

Pest Management Service Providers are licensed by the Ontario Ministry of Environment under the authority of the Pesticides Act. To qualify for licensing, Pest Management

Service Providers must be certified by Ontario Pesticide Training and Certification. The license is intended to regulate the use of pesticides by the providers; it is not a business licence and the Act does not address consumer protection issues. These issues fall under the purview of the Consumer Protection Branch of the Ministry of Consumer Services.

Staff do not recommend additional enforcement mechanisms to address Toronto bed bug control issues beyond those outlined in this report, as the existing authorities are currently deemed sufficient by both TPH and MLS.

## **Next Steps – Corporate Oversight and Governance**

The City of Toronto has four control mechanisms to address the problem of bed bugs in Toronto – two relate to the provision of information (public awareness, education and prevention; and data collection and reporting) and two relate to direct action (supports to residents and enforcement). Effective bed bug control is reached when there is an optimal level of both information and action.

These mechanisms involve a number of City partners and key stakeholders including landlords, tenants and pest control providers. Maintaining effective ongoing bed bug control requires a high degree of coordination and collaboration among these various programs. To ensure this corporate oversight going forward, the two signatories to this report will lead the Toronto Bed Bug Working Group to support an optimal mix of public awareness, City intelligence, direct supports to residents and City enforcement mechanisms.

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## **SIGNATURE**

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