

Condo Smarts

Headline: Rats!

Topic: Pest Control

Publication date: Aug 25, 2013

Publication: The Province

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Dear Condo Smarts: We have rats in our building. Several owners have been complaining about noises in the walls at night and several rats have spotted around the complex and in the parking garage. We have one owner whose patio area is adjacent a green space and everyone is convinced this is the origin of the infestation. Strata council has sent her a letter advising that she is obliged to set traps and keep her patio area clean to avoid a further problem. They have also sent a letter to all owners advising to keep food safe and to not store trash in our units. These are good ideas, but we are more concerned about the rats in the building that no one seems to be doing anything about. There is a debate ongoing in our building about who caused the problem and how the council can back charge them for the cost. Do you have experience with other buildings and how they manage this situation?

Colleen D. New Westminster

Dear Colleen: Pest infestations must be taken seriously by the strata corporation and the strata council. If an owner, tenant or occupant can be determined to have caused the infestation, the strata corporation can always proceed against the owner to recover the claim. Unfortunately communities tend to spend valuable time debating the cause, when their first course of action should be to contact a pest control company to address the problem immediately. Rats in a building system can cause a horrendous amount of damage in a very short period of time. Electrical systems, mechanical, plumbing, insulation, and ventilation systems are all at risk, and the costs can be uncontrollable if the infestation is left unchecked. In addition to the bylaws of the strata corporation, the

Strata Property Act also provides a provision for the strata corporation to do whatever is reasonably necessary to remedy a contravention of its bylaws or rules, including doing work on a strata lot, the common property, or common assets, and recovering the reasonable costs of remedying the contravention. In addition to the standard bylaw, it is beneficial for the strata corporation have bylaws that address items such as damages that relate to property damages or loss due to negligence of maintenance of a strata lot, or the actions of an owner, tenant or occupant that result in a loss or expense to the corporation. It is crucial for a strata corporation to address an infestation as soon as possible to eliminate the pests before the spread can cause damage to property and risk to health and safety. Strata corporations should also seriously consider the control or restriction of seed based bird feeders, the feeding of animals, and composters if those areas are likely attracting pests. Vigilant maintenance of garbage and recycling rooms, and immediate clean up of pet waste on the grounds, are also critical.

Pests can range from silver fish and cockroaches to bears and deer in the province, and the duty is as much ours to be responsible to maintain our living environment to avoid attracting animals, as well as maintaining a pest control program as part of our annual building maintenance and operations, for the benefit of protecting our investments, our families and our pets. If an owner was responsible, you will know soon enough and the strata can elect to proceed with an action to recover the costs.

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