

Order under Section 135  
**Residential Tenancies Act, 2006**

**File Number:** CET-11437-11

EF, SD and JF (the 'Tenants') applied for an order determining that BCEI (the 'Landlord') has collected or retained money illegally.

This application was heard in Barrie on April 19, 2011.

The Tenants and the Landlord's representative, JG, attended the hearing.

**Preliminary Matter:**

The application was amended at the hearing to remove HD, as a Tenant. She is a two year old child and was an occupant of the rental unit.

**Determinations:**

1. The Landlord did not collect or retain money illegally.
2. The Tenants allege that the unit was not in a good state of repair or fit for habitation due to a bed bug infestation. They claim that the rent charged is illegal rent due to the bedbugs and they seek a return of the full rent paid to the Landlord.
3. The alleged bed bug infestation is a maintenance issue. The alleged infestation does not mean the Landlord charged illegal rent.
4. The application filed is not relevant to the issue and the remedy sought. There is a specific T6 maintenance application to address the issue the Tenants wish to raise and the remedy they are seeking.

**It is ordered that:**

The Tenants' application is dismissed.

**April 20, 2011**  
**Date Issued**

Central-RO  
3 Robert Speck Pkwy, Suite 520, 5th Floor  
Mississauga Ontario L4Z2G5

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Karen Wallace  
Member, Landlord and Tenant Board

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.