## BED BUG LAW HB 482, effective January 1, 2014.

### SUMMARY:

- ❑ HB 482 will be effective Jan. 1, 2014. It clarifies landlord and tenant responsibilities during a bed bug infestation in rental property. The goal of the legislation is to provide a framework for quick action at the first report of bed bugs in a rental unit and to foster landlord, tenant cooperation in remediation.
- ❑ It is a violation for a landlord to willfully fail to investigate or fail to take reasonable measures to remediate an infestation within 7 days (contempt and contempt damages).

### EMERGENCY ENTRY:

- ❑ After report in tenant's unit: Once a landlord becomes aware of a bed bug complaint in a tenant's unit, he/she is allowed emergency entry into that unit for the next 72 hours .
- ❑ After report in adjacent unit: If there is a bed bug complaint from an adjacent unit, a landlord is allowed emergency entry into tenant's unit. The landlord must give the tenant 48 hours notice.
- ❑ It is a violation for a tenant to willfully refuse emergency entry (contempt and contempt damages).

### PREPARATION FOR REMEDIATION:

- ❑ A landlord must provide the tenant with reasonable written instructions for preparing the unit for remediation. These instructions must be given to an adult 72 hours in advance of remediation.
- ❑ It is a violation for tenants to willfully refuse to comply with these instructions.
- ❑ Landlords can evict for failure of tenant to prepare the unit with advance reasonable written notice.
- ❑ However, landlords must allow for reasonable accommodation requests related to preparing the unit.

## PAYMENT FOR REMEDIATION:

- ❑ Landlords are required to pay up-front for all bed bug remediation costs.
- ❑ Landlords may recover costs for remediation in the tenant's unit only, and only if tenant is considered "responsible" for the infestation.
- ❑ The tenant is presumed to be "responsible" if only his/her unit has bed bugs and there have no other bed bug reports in the unit or adjacent units in previous six (6) months.
- ❑ Landlords can evict "responsible" tenants for nonpayment, provided the landlord shows that he/she offered tenant a "reasonable repayment agreement."

## RESOURCES:

HUD Notice 2012-5 & EPA/CDC Joint Statement on Bed Bug Control:
http://www.cdc.gov/nceh/ehs/publications/bed_bugs_cdc-epa_statement.htm

## NEED ASSISTANCE?

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