

HB 1849 -- Bed Bug Control for Multifamily Rental Dwelling Units

Sponsor: McGhee

The bill establishes the criteria to be followed by landlords and tenants of multifamily rental dwelling units regarding the control of bed bugs. A landlord of a multifamily rental dwelling unit is required to use reasonable efforts to maintain the dwelling free of an infestation of bed bugs. Upon the written request of a tenant, the landlord's designated pest control professional must visually inspect the unit within seven days. If a bed bug infestation exists, the landlord must begin the process of controlling the infestation within 14 days. The landlord must notify other tenants in the surrounding units of the multifamily dwelling of the infestation and that it is being controlled. A landlord must give at least 24 hours' written notice to the tenant that he or she requires access to inspect or control the infestation. The landlord or the landlord's employees, officers, agents, and directors will not be liable to the tenant or the tenant's guests for any damages relating to and arising from the infestation of bed bugs or the inspection for and control of bed bugs unless the landlord has been grossly negligent. If the landlord fails to inspect and/or designate a pest control professional within the 14-day period, the tenant will not be liable to the landlord or his or her agent for damages relating to and arising from the presence of bed bugs.

A tenant of a multifamily rental dwelling unit must use reasonable care to maintain his or her unit free of bed bugs. The failure of a tenant to report the presence of bed bugs within his or her unit within seven days after move-in in the exercise of reasonable diligence will be an acknowledgment by the tenant that the dwelling is acceptable and bed bug free. A tenant who knew or should have known or suspects the presence of bed bugs in his or her dwelling must notify the landlord in writing within 48 hours. Notification by a tenant of a bed bug infestation constitutes permission for the landlord to enter the premises for the purposes of inspecting for or controlling bed bugs. After notification, a tenant must provide access to the unit for the purposes of inspecting and controlling bed bugs. If a tenant obstructs or inhibits the landlord or his or her designated pest control professional the ability to access the premises for the purpose of inspecting and controlling bed bugs, the landlord will not be liable for damages incurred by the tenant or his or her guests arising from the infestation and the tenant may be found in violation of his or her lease and/or subject to reasonable damages.