CONNECTICUT LEGAL RIGHTS PROJECT

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TESTIMONY OF SALLY R. ZANGER, STAFF ATTORNEY
HOUSING COMMITTEE PUBLIC HEARING MARCH 8, 2012 RE: SB 190

CLRP is a legal services organization that advocates for low-income individuals who have, or are perceived to have, psychiatric disabilities. We promote initiatives that integrate clients into the community. An important part of our work is protecting people's housing, which includes negotiating with landlords and representing tenants in summary process.

Connecticut Legal Rights Project (CLRP) supports the concept of S.B. 190 but urges the Committee to revise the proposed bill. Because of the emotional reactions and stigma attached to bed bugs, a statewide effort is a good idea. However, this draft may need more work than there is time for this session. It does not balance landlord and tenant responsibilities. It imposes some duties on tenants that are either unworkable or could lead to violations of the ADA.

People have strong feelings about bed bugs. They are hard to get rid of, and the more entrenched they are, the harder they are to eradicate. There is no proven "tried and true" way to prevent or eliminate bed bugs infestation. Legislation will not prevent or eradicate bedbugs.

Some landlords think they know who brought the bed bugs in, based on the tenant's disability or income level. However, bedbugs do not distinguish their victims by economic status, disability, age or even by housekeeping standards. Bed bugs do not carry disease, but they do carry stigma.

What we do know:

- We know that the earlier the bugs are spotted and the situation is addressed, the easier it is to get rid of them, but that it is never easy.
- We know that they are not attracted to or caused by dirt or clutter, but that they are able to hide in furniture and walls, and that clutter can make it more difficult to reach them.
- We know that anything that encourages landlords and tenants to act quickly when they discover the possibility of a bed bug infestation is helpful.
- We know that penalizing or discouraging such action is not helpful.

This bill, as drafted, has several provisions which discourage landlords and tenants from finding and reporting bed bugs. Section 1(b) forbids a landlord from offering for rent a unit that s/he knows or reasonably suspects is infested with bedbugs, thus discouraging the landlord from being vigilant. Similarly, a tenant is not likely to disclose or want to disclose if they find a bedbug because Section 2 reads like a tenant may be responsible for paying the exterminator. My clients are very poor and live on disability income. The cost of buying plastic bags to prepare their premises for treatment, never mind replacing furniture or purchasing mattress covers, can be prohibitive. Sometimes the actual preparation is too strenuous and they must request assistance and accommodations to complete the tasks. The bill as drafted does not address these issues.

Currently landlords are responsible for eradicating infestations. There is nothing about bedbugs that makes them an exception. On the contrary, since bedbugs travel from unit to unit in the walls, an entire building can be infested if the landlord does not take prompt action to treat any infested unit <u>and</u> its neighbors. For this to happen, tenants and landlords must <u>both</u> have responsibility and incentives to deal with the problem at the first hint. Since everyone agrees on the goal, we can develop a workable solution, but the bill requires more discussion.