

McCall, Brandon

From: Juliet Cavanaugh <juliet@cavanaughandcompany.com>
Sent: Monday, March 03, 2014 2:19 PM
To: HSGTestimony
Subject: An Act Concerning The Rights & Responsibilities Of Landlords And Tenants Regarding Bed Bug Infestation

To whom it may concern,

As a property manager, I am most distressed that the aforementioned act places the preponderance of blame and responsibility on property owners/landlords and in no way addresses infestation caused or initiated by acts of the tenants. A tenant claiming infestation after months or years of occupancy where no other unit is affected must bear some responsibility for the situation. While tenants may not wittingly invite infestation, how can the landlord be made to shoulder the full cost for treatment? We've all heard of folks picking up these little demons in books at the library or their children transporting them home in backpacks from school, in which case it is clearly a blameless incident. But what of the tenants who bring in furniture that is infested, or permitting guests or additional occupants in their home which may be the "carrier?"

I've encountered 3 separate scenarios of bed bug infestation in properties under my control. Two of these incidents occurred over 1 year after the tenants took occupancy and clearly the infestation was caused, while not intentionally, by something or someone they brought into the home. Another incident occurred within weeks of a tenant taking occupancy in an apartment which had no previous infestation, nor did the property as a whole. These tenants came to us with an active infestation. Why do tenants not bear some of the responsibility for treatment?

And how can a landlord expect full disclosure from a tenant stipulating that there is no infestation present in the dwelling where they are coming from? Is the tenant going to be responsible for signing a disclosure? If infestation is found within months of occupancy, can the landlord look to that tenant to handle all treatment costs? If I know a tenant who has had bed bugs is looking to relocate, can I attempt to forewarn their new landlord?

The costs to my landlords have been staggering and this bill does little to protect their rights and finances. A landlord (married couple) who had taken all of the steps necessary for treatment actually had a warrant issued for their arrest by a local municipality! After 3 documented treatments by a licensed professional, the tenant complained she still had an issue. Rather than determining she had complied fully with the treatment protocols (she had not), the local health department. As is too often the case in landlord/tenant law, the rights of the tenants far outweigh the rights of the property owners.

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My resolution for 2014? Leave work at the office as often as possible! In that spirit, all emails or calls received outside of normal Monday through Friday business hours will be returned the next business day. If you have an urgent matter, I suggest contacting me via text on my cell for the quickest response. Thanks for your understanding.