



State of Connecticut  
DIVISION OF CRIMINAL JUSTICE

**TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE**

IN SUPPORT OF:

**H.B. NO. 5438: AN ACT CONCERNING THE RIGHTS AND RESPONSIBILITIES  
OF LANDLORDS AND TENANTS REGARDING THE TREATMENT  
OF BED BUG INFESTATIONS**

JOINT COMMITTEE ON HOUSING

March 4, 2014

The Division of Criminal Justice respectfully recommends the Committee's Joint Favorable Report for H.B. No. 5438, An Act Concerning the Rights and Responsibilities of Landlords and Tenants Regarding the Treatment of Bed Bug Infestations.

H.B. No. 5438 adds components to existing landlord-tenant law that are necessary additional obligations or definitions of law in order to allow for the prompt elimination of a properly identified infestation of bed bugs. The Division of Criminal Justice handles prosecution of violations of the various health, housing, fire, building and zoning laws of the state and local governments. When a landlord fails to eliminate bed bugs, a tenant may complain to the municipal department of health or housing. After an inspection, the landlord is subject to an order from a director of health or other housing enforcement agency to abate the bed bugs in a tenant's unit. Failure to comply with that order can be referred to the appropriate State's Attorney's office where the matter is generally referred to our Housing prosecution unit for criminal prosecution as allowed at law.

H.B. No. 5438 allows both landlords and tenants to eliminate a bed bug infestation more quickly by providing a set of rules under which to operate in pursuit of their resolution of this very mutual problem. Most importantly, the bill puts time frames on compliance. Bed bugs must be addressed promptly. When it comes to landlords and tenants, this clarification is needed in order to allow them both a fair and effective notice and opportunity to remedy this pest before it spreads throughout a building. Bed bugs can spread quickly as they are mobile, particularly easy to transport, and can pass through unit walls if the adjacent units are untreated. Once the insects are in residence, to breed they only need a blood host (such as the tenant). Getting rid of bed bugs is difficult. It involves particular steps in preparation by the tenant to succeed and must be done by a certified operator, often with more than one application. Bed bug pest control can be expensive and becomes more so with special problems such as untimely access. Inability to access for treatment of a unit or to properly treat a unit due to hardship or otherwise will result in a lack of abatement of that unit and a potential spread of the problem to innocent neighbors and beyond.

H.B. No. 5438 was recommended and drafted by the Connecticut Coalition Against Bed Bugs (CCABB), an ex-officio voluntary interdepartmental effort the Division of Criminal Justice has participated in since the coalition was established in 2009. CCABB was created to assist our state's residents and officials in responding to a quickly emerging serious bed bug (*Cimex lectularius*) resurgence. Each representative of the coalition was enlisted due to expertise and high volume involvement with this threat. The coalition consists of representatives from the Connecticut Agricultural Experiment Station as our coalition leader and our "bug" experts, the Department of Public Health as our health nuisance enforcement officials, the Department of Energy and Environmental Protection as our pesticide and certified applicator regulators and enforcement officials, the Department of Consumer Protection as our mattress recycling regulators and enforcement officials, the Division of Criminal Justice as our prosecutorial officials, a local Director of Health and two private pest control business owners.

The coalition has held regular meetings to share information on bed bug abatement methods and problems with abatement, established list serves to get the information out as soon as possible and fielded literally hundreds of calls yearly from the public and enforcement officials on bed bug issues. It has also held numerous forums both live and on cable television for the public and enforcement officials to address the bed bug problem. (See <http://www.ct.gov/caes/cwp/view.asp?a=2826&q=437580&caesNav=1>) Despite this well-coordinated and long term outreach, Connecticut is losing the fight to eliminate bed bugs from invading our homes, schools and businesses.

H.B. No. 5438 sets a needed statutory framework within which a landlord and tenant can both fairly and completely respond to a bed bug infestation. Disclosure, timed inspection and treatment, apportionment of responsibility upon finding of unreasonable non-compliance, and particularly the safety of requiring a certified operator are all defined as obligations in the bill and placed in a balanced way so that both landlord and tenant must cooperate or face penalty.

Please do not hesitate to contact the Division of Criminal Justice if you require additional information or have any questions regarding this issue.