



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

IN SUPPORT OF:

**H.B. No. 5335 (RAISED) AN ACT CONCERNING THE RIGHTS AND
RESPONSIBILITIES OF LANDLORDS AND TENANTS REGARDING THE
TREATMENT OF BED BUG INFESTATIONS**

JOINT COMMITTEE ON HOUSING
February 23, 2016

The Division of Criminal Justice respectfully recommends the Committee's JOINT FAVORABLE Report for S.B. No. 5335, An Act Concerning the Rights and Responsibilities of Landlords and Tenants Regarding the Treatment of Bed Bug Infestation.

This bill adds components to existing landlord-tenant law that are necessary additional obligations or definitions of law in order to allow for the prompt and safe 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. Failure to comply with such an order can be referred to the Division where it is generally referred to our Housing prosecution unit for criminal prosecution as allowed at law.

H.B. No. 5335 allows both landlords and tenants to eliminate a bed bug infestation more quickly by providing a set of rules for resolving this very mutual problem. Most importantly, the bill establishes time frames so bed bugs must be addressed promptly. This clarification is needed to allow both landlords and tenants a fair and effective notice and opportunity to remedy the problem before it spreads. Bed bugs are mobile, particularly easy to transport and can pass through walls to an adjacent unit that is untreated. Once the insects are there they only need a blood host (such as the human occupant) in order to reproduce. 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.

This legislation was recommended and drafted by the Connecticut Coalition Against Bed Bugs (CCABB), a voluntary collaboration launched in 2009 to respond to the quickly emerging and 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. CCABB has met regularly to share information on bed bug abatement methods and established list serves to get information out as soon as possible. It also has fielded literally hundreds of calls yearly from the public and enforcement officials and has held training and information programs both in person and on cable television in an effort to help thwart a bed bug pandemic. Despite all of these efforts, Connecticut is losing the fight to eliminate bed bugs from invading our homes, schools and businesses.

H.B. No. 5335 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 in 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.

In conclusion, we recommend the Committee’s Joint Favorable Report and we thank the Committee for affording this opportunity to provide input on this matter. Please do not hesitate to contact the Division of Criminal Justice if you require additional information or have any questions regarding this issue.