

# Notes on California Law and Bed Bugs

## Contact your landlord if you suspect that your rental might have bed bugs.

California law requires a landlord to provide safe and habitable premises. The tenant is required to keep the rental property clean and to dispose of garbage properly.

Contact your landlord or property manager immediately if you suspect that your rental might have bed bugs. Bed bugs are difficult and costly to control.

## Your landlord cannot evict you for requesting assistance with bed bugs.

California law prohibits a landlord from retaliating against a tenant if the tenant:

- Calls a governmental agency for an inspection
- Organizes other tenants
- Requests that the landlord make repairs (or in this case, treat bed bugs)

## Who pays for bed bug treatment?

Generally it is the landlord's responsibility to pay for the cost of controlling bed bugs and other pests, but, in certain cases, the tenant might have to pay.

## Contact an attorney if you have questions about taking legal action against your landlord related to bed bugs.

### California Civil Code §1941.1, Landlord Obligations

California state law requires a landlord to provide and maintain the following:

- Weather protection at the roof, exterior walls, windows and doors;
- Plumbing and gas facilities
- An adequate supply of hot and cold running water
- Heat
- Electrical system, including lighting, wiring, and equipment working
- Clean Premises, free of rubbish, filth, garbage and vermin
- Adequate trash containers
- Floors, stairways and railings maintained

### California Civil Code §1941.2, Tenant Obligations

California state law requires the tenant to

- Keep the unit clean and sanitary
- Dispose of rubbish in a sanitary manner
- Properly use plumbing and electrical fixtures
- Not willfully destroy the unit
- Use the rooms for their intended use

The law requires a tenant to personally repair damage caused by their own acts or neglect.

- If the tenant "substantially violated" the tenant's obligations, and
- The violation "substantially contributes" to the defective condition.

## To Deal with Bed Bugs, Everyone Must Cooperate

The landlord must openly discuss bed bugs with tenants to educate them about prevention and to encourage immediate notification of a problem. Bed bugs are much easier to manage in the early stages of an infestation.

Tenants must notify the landlord or manager immediately if they suspect a bed bug infestation. They must learn how to prevent and avoid infestations, and they must do their part in the treatment process.

The pest control company must communicate effectively with all parties; inspect units above, below and on both sides of the affected apartment, as well as common areas of the building; and provide a thorough treatment with follow up. The pest control company should follow the National Pest Management Association's best management practices found at <http://www.bedbugmmps.org/>

