

Don't Let the Bedbugs Bite You or Your Wallet

[On behalf of Dornish Law Offices, PC](#) | Aug 14, 2010 | [All, Landlord-Tenant, Real Estate Practice](#)

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I remember the good night saying “Good night, sleep tight, don't let the bedbugs bite” from my childhood. But for many years, I didn't think bedbugs were real, and for many more, thought they were extinct. Recently, however, they have come back, and are the scourge of hotel and multi-unit apartment building owners in many cities and towns. In New York City, there were 11,000 bedbug complaints last year, and data suggests that over 400,000 New Yorkers were battling the pests.

This Summer, I have dealt with half a dozen bedbug issues in Pittsburgh and Western PA, concentrated in the college areas. Last year, I only had one complaint. All of this means it is time for a primer on these little blood sucking bugs.

First, you need a few facts about the insects themselves. Bedbugs are straw colored to reddish brown; the more blood they hold, the redder they appear. As adults, they are between a quarter of an inch and three quarters of an inch long, and oval, with side to side bands across their exoskeletons or shells. Before feeding on blood, they are flat. After feeding, they look like plump, red drops of blood.

A bedbug can survive for over a year, its entire life span, without food or water, in a temperature range from below freezing to 120 degrees Fahrenheit. All in all, these are pretty tough pests. To make matters worse, each female lays up to 400 eggs per year, the eggs hatch in about ten days, and the young mature in five to eight weeks. They are not quite as efficient in reproduction as roaches, but with those numbers, they can spread pretty rapidly.

The good news is they don't fly or have spider webs, so they have to crawl from place to place, or hide in cardboard, moving pads, fabric or crevices in wooden furniture. And although bedbugs suck blood, there is no evidence that they spread aids or any type of disease from person to person. They just come out mostly at night, bite their hosts and can leave itchy red welts, or even rashes in allergic individuals.

There is a bedbug sniffing dog in Pittsburgh (really), and similar dogs are available in most larger cities. They cost around \$300 per unit, or over

\$1,000 per day to sniff out problem units. The dogs are worth it in larger buildings, because they tell you where you need to treat. You can kill the adults by cooking a room to 130 degrees for over three hours, and come back a week later to spray the eggs with pesticide. These combined treatments typically cost \$800 to \$2,000 per unit.

Now that the cost has your attention, the next question is who is responsible to pay for the treatment, the landlord or the tenant? The answer really depends on your lease. In my lease, there is a time frame separation between landlords' and tenants respective responsibility for pests. Any pest problem reported within fifteen days of move in is presumed to be landlord's issue. Any later complaint makes the cost of treatment the tenant's responsibility. The PAR form lease has boxes which can be checked making the cost of pest treatment the tenant's or the landlord's responsibility. Make sure you know what your lease says about pests before you get your first bedbug call.

What if you read your present lease, and don't like what it says about your responsibility for pests? You can change the language for new tenants and in renewal leases for existing tenants, as long as the changes in language still comply with the Plain Language Consumer Contract Act. The consideration for the change is the offering of possession, or the offering of a renewal lease term. But that doesn't work for existing tenants in the middle of a current lease. You can't just give them a changed lease form to sign for the rest of the existing lease term and meet the consideration requirement of the law. You have to give them some cash, a rent credit, or offer something else of value in exchange for their signatures on a new lease adding more responsibilities for them.

What about your own home? To start with, be careful when you travel. Bedbugs are a growing problem for hotels in many urban areas of the United States and foreign countries all over the world. Inspect hotel sheets and mattresses for signs of bedbugs. Their droppings look like ground pepper in crevices and along seams of mattresses. The translucent amber exoskeletons are shed in the same places, and in headboards and any small hole, crack or crevice nearby. The eggs are oblong, about the size of a pinhead, have what looks like a lid at one end, and are usually clustered in groups of ten to fifty.

Bedbugs can travel in suitcases, shipping crates or cardboard boxes, or on clothing, and pass easily through airport security. So when you travel, keep your suitcases on the folding suitcase trays hotels provide, and don't put

your suitcase or your clothing on beds, carpets or fabric covered furniture. When you arrive home, unpack away from your bedroom, wash the clothing in hot water and dry in a hot dryer if possible, store your suitcases in a very hot or very cold attic if you can.

Next, remember that the cardboard boxes in which goods are shipped all over the world also make a good home for bedbugs and other pests. Don't bring cardboard boxes into your home if you can remove items outside and get rid of the cardboard. If you buy used furniture or textiles, inspect them thoroughly before bringing them into your home. If you have furniture, mattresses or appliances delivered, ask about bedbug prevention steps taken by the delivery crews, and particularly how they sanitize their moving pads. If they remove old mattresses when they bring new ones, ask how they separate them on the truck, and make sure your new mattress comes out of the truck in sealed plastic wrapping.

After all of this, know that if any of your tenants get bedbugs, it doesn't mean they are dirty or unfit. It just means they haven't known about some of the risks, and were unlucky.

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