

Chicago's Bed Bug Ordinance

A Factsheet

The City of Chicago has declared bed bugs a public nuisance in the bed bug ordinance that went into effect *December 23, 2013*. The ordinance amends the municipal code to better define who is responsible for bed bug control in multi-unit buildings. This factsheet summarizes the key elements addressed in the ordinance.

Midwest Pesticide Action Center is your guide to understanding the comprehensive order, as well as the division of responsibilities between landlords and tenants.

The ordinance clearly places the primary responsibility for controlling bed bugs on landlords. Landlords must provide inspection and treatment services when necessary to rental units and building common areas. Inspection and treatment must be in line with the National Pest Management Association's best practices for bed bug control, and treatment must be provided by a professional pest control operator until there is no longer evidence of an infestation.

Tenants must provide prompt notice of suspected bed bug infestation and cooperate during inspection and treatment activities.

Other provisions within the ordinance detail education, furniture disposal, the resale of items, and the responsibilities of condominium/ cooperative buildings to have a comprehensive bed bug plan.

Specific Landlord Responsibilities

EDUCATE/INFORM/INSPECT/TREAT

- Attach a bed bug informational brochure to all new and renewing leases. The Chicago Department of Public Health has one available at <http://bit.ly/HLuws6>.
- Respond to any known or suspected bed bug infestation within **10 days**.
- Provide inspection and treatment services by a pest management professional.
- Inspection and, if necessary, treatment must be done in units adjacent to, above, and below the unit suspected of infestation. This pattern is continued in the building until no evidence of bed bugs is found.

- Provide written notice to the tenant(s) before inspection or treatment. This notice should advise the tenant of their responsibilities, and specific preparations that must be completed.
- Maintain written record of all inspection and pest control measures performed by the pest management professional. Records must be kept for **3 years** and are open to inspection by authorized city personnel.
- May not knowingly retaliate against tenants for reporting, lodging complaints, and/or seeking assistance for a bed bug problem.

Specific Tenant Responsibilities

NOTIFY/COOPERATE/PREPARE

- Notify the landlord or representative, in writing, within **5 days** of any suspected or known bed bug infestations in the apartment, clothing, furniture or personal property.
- Cooperate* with the landlord for inspection, control, treatment and eradication of bed bugs.
 - a. Grant access at reasonable times to your apartment for purposes of bed bug infestation inspection or treatment.
 - b. Prepare unit for inspection or treatment; cleaning, dusting or vacuuming, prior to treatment.
 - c. Properly dispose of any personal property that a pest management professional has determined cannot be treated before the pest control services begin.

**Does not apply to tenants in assisted living, shared housing, or similar living arrangements. See Assisted Living and Shared Housing Act, 210 ILCS 9/10. (Continued on back)*

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What About Condominiums & Cooperatives?

PLAN/COMMUNICATE/RECORD

All condominium associations and cooperatives must have a bed bug pest management plan in place by March 24th, 2014. The plan must include detection, inspection and treatment strategies.

- Maintain records of pest control activities for **3 years** for inspection by authorized city personnel.

Condominium owners or lessees shall immediately notify, in writing, the governing association of any known or suspected bed bug infestation.

- Cooperate with the governing association to control, treat, or eradicate bed bugs found or suspected.

Disposal of Infested Property

Infested items that are left in common areas such as alleys, basements and curbs may spread the problem to others in your community. It is extremely important to properly dispose and label infested property properly. This can prevent you from passing the problem onto your neighbor!

- ✓ Properly mark infested items (e.g. "BED BUGS Do Not Use"). Keep items enclosed in a plastic bag until properly disposed of or treated.

- ✓ DO NOT discard or dispose of any bedding, clothing or other materials infested with bed bugs on the public way (example: alley, sidewalk, hallway or common room)
- ✓ NO infested property should be recycled.

Enforcement of Ordinance

The ordinance will be enforced by the Department of Buildings and the Department of Public Health.

To view the full ordinance

visit, www.cityofchicago.org and search for "bed bugs," or go directly to <http://bit.ly/1dR6ggH>.

- A tenant has 5 days to report a suspected bed bug problem via written notice, and must cooperate with subsequent control activities.
- After receiving written notice, a landlord has 10 days to begin control activities such as inspection and, if needed, treatment for bed bugs using a pest control professional.
- *If either party is not complying*, call 311 to report the violation. Your call will be routed to the Department of Buildings and a city inspector will be sent out.

Any person (including tenants) found in violation of the ordinance, may face penalties of \$300.00 (1st offence) to \$2,000 (3rd offence) per day per violation within a 12 month period.