

“Help! I have Bedbugs in my apartment!”

If you think you have bedbugs, write a dated letter to your landlord right away, telling him about the bedbugs, and asking that he hire a licensed exterminator to inspect and treat your home right away. Keep a copy of your letter. Next, call the Board of Health for your town and get an inspection. The Board of Health may need to inspect neighboring apartments and prevent the further spread of bedbugs. The Board of Health will also write a report documenting the bed bugs. They will cite the landlord and order fumigation. You may want to research signs of bedbug infestation and point them out to the inspector if he doesn't see anything on his own. If the landlord is not fixing the bedbug infestation, you have the right to stop paying your rent until the problem is fixed. You should save the rent in the bank. Please also see our brochure What to Do about Bad Conditions for more information on keeping your rent until the bedbug problem is fixed.

If there are dirty or cluttered conditions in your home which are contributing to the infestation, the Board of Health may also cite you. This does not happen often, however.

It is very important call the Board of Health as soon as you see bedbugs. Later on, if you have to go to court, a judge might not believe you about the date you first saw bedbugs, especially if the landlord disagrees with you and tells the judge a different story. But a judge will always believe the inspector if the dated inspection report said you had bedbugs.

Working with the exterminator

Prepare for the inspection and fumigation by cleaning your home, including closets, and removing clutter. Push furniture to the center of the room, empty out dressers, and pack up as much as you can in plastic bags. (See below on laundering and cleaning). *At least* two pesticide applications, two weeks apart, are needed to break the bedbugs' reproductive cycle. Bedbugs are difficult to destroy.

Based on the inspection, the exterminator will determine if your furniture can be treated or should be replaced. Discarded furniture should be sealed or broken up so that no one is tempted to take it home and spread bugs.

The exterminator should write and implement an Integrated Pest Management (IPM) plan, which describes the extent of the infestation and the steps to control and monitor it. You should get a copy of this plan. Everybody involved, tenant, landlord, and exterminator, should be clear on what he or she has to do under the plan.

Treating neighboring apartments and common areas like halls and basements might be recommended, depending on the level of infestation and the condition of the building. Cracks in walls and ceilings may need to be repaired and gaps sealed where water, wires and heating pipes come through the walls or floors. Gaps in wooden floors should be filled with wood-filler. This work is the landlord's responsibility. The landlord may also have to remove wall-to-wall carpeting.

Remember that pesticides can be dangerous if they are not properly used or managed.

A Good Exterminator Will...

1. Wait to proceed with treatment until it is clear that the problem is bedbugs, and not an infestation with similar symptoms.
2. Provide a detailed list of preparations that the tenant and the landlord are responsible for before extermination, and proceed with treatment upon completion of these steps.
3. Use an extermination plan that requires multiple treatments, as 68% of infestations require three or more treatments for successful results.
4. Recognize that there may be items in the infested unit that cannot be treated effectively and must be thrown out.
5. Be thorough in the extermination plan, making sure to treat all the nooks and crevices throughout the house where bedbugs may hide.

What Tenants Can Do?

To eliminate an infestation, protect mattresses with plastic mattress covers designed to contain dust mites, as they will contain bedbugs, too. You may be able to get these plastic mattress covers from your doctor, or your doctor should know where you can get them. Wash bedclothes, pillows, rugs and clothing in hot water and dry them at high heat in commercial laundry dryers. The high heat will kill bedbug eggs. Keep clean laundry in sealed plastic bags to keep out bedbugs. Discuss other steps with the exterminator. You can request in writing that your landlord pay you back for the money you had to spend in getting rid of bedbugs. Keep all your receipts for what you spend.

To prevent future infestation, before moving furniture or luggage into your home, inspect them carefully. Avoid taking in furniture if you do not know where it has come from, especially if it has many cracks. Clean carpets and vacuum floors frequently and discard vacuum cleaner bags immediately. Eliminate clutter in your home to reduce the narrow hiding spaces that bedbugs prefer.

Taking your Landlord to Court:

Review our brochure [Taking Your Landlord to Court](#), which should be attached.

If your landlord does not cooperate with both you and the Board of Health and fumigate quickly, the Board of Health will continue to cite him and the Board of Health will eventually take him to court. This may take a while.

As a tenant, if your landlord does not fumigate quickly, *you* can file a Temporary Restraining Order against your landlord on your own. You can seek a court order that the landlord hire a licensed exterminator immediately, pay you back for your expenses, and reduce your rent for the time you had to live with bedbugs.

If you live in a town or city served by a Housing Court, you should file your case there. Otherwise, you can file a case in the District Court.

If you decide to go to court because the landlord is not getting rid of the bedbugs, make sure that you bring written proof of the bedbugs in your apartment and the date the landlord knew about them. Bring your written, dated letter to the landlord to get rid of the bedbugs. Bring your copy of the inspection report. If your neighbors in an apartment building or house also had bedbugs, their inspection reports and letters to the landlord might help in your case, and your letters and inspection reports might help in theirs. You could also be witnesses for each other's cases. So why not cooperate?

If you don't have any written proof of the date you told your landlord about bedbugs, your testimony also counts. However, written proof is best, because otherwise, it may be your word against your landlord's word.

If the Court believes you have bedbugs, the Court will order the landlord to exterminate and should decide you owe less rent for the months you lived with bedbugs. Usually Housing Court judges reduce the rent 50% for the time you had to live with bedbugs.

Also, the Court *may* order your landlord to pay for you to stay in a hotel during the extermination. The Court *may* order your landlord to pay for your damaged furniture/property and possibly other damages as well. The Court is most likely to order the landlord to pay for a hotel or damaged personal belongings if you can prove the landlord was aware of the bedbug problem, and was not cooperative in attempting to get rid of the bedbugs quickly.

If you want money back for damaged furniture and property, don't forget to clearly tell the court exactly what your damaged items were worth. It would be best to bring receipts, if you have them. If you don't have receipts, make a written list of costs before court so you don't forget. You could give your list to the Judge so as to be clear.

Going to court on your own may seem like a scary idea. However, many Courts, particularly Housing Courts, are used to seeing tenants on their own. The Housing Court judges know the law. They want to apply it fairly. Thousands of tenants go to housing court on their own every year, and succeed.

