



## Senate Bill 529 – Real Property – Landlord and Tenant - Bedbugs

### Position: Unfavorable

The Maryland REALTORS® opposes SB 529 which would seek to establish a notice and treatment program for bedbugs found in rental apartments.

Under current Maryland law, landlords must already provide a rental dwelling that does not have bedbugs. Unlike other insects and vermin that a landlord is typically responsible for (mice, ants, etc which enter from the area around the building) bedbugs typically arrive at a dwelling in a person's luggage, furniture, clothing etc. Especially in the context of single-family rentals, it will almost always be a condition created by the tenant. Making a landlord wholly responsible for eradication of this problem is inconsistent with other conditions. For example, if a tenant damages a wall, the landlord is not responsible for paying for that repair. A court should have the flexibility to determine relative responsibility for the infestation.

More specifically to the statute, the REALTORS® are concerned about the following provisions. Few states have specific statutory directives when dealing with bedbugs, and those that do typically require a longer time period for conducting an inspection. Connecticut law directs that a landlord has 5 business days to conduct an inspection after notice by the tenant rather than 96 hours provided under this bill. The 96-hour time period, however, isn't really 96 hours given that a landlord must provide 48-hours of notice before the inspection. That gives a landlord, who may have been notified about the presence of bedbugs Friday night, 48 hours to find a company to inspect the unit over the weekend.

Moreover, the bill requires the tenant to comply with an inspector's direction when an inspection or treatment of the dwelling occurs. However, if a tenant doesn't comply and that is unknown to the inspector or applicator (maybe the tenant doesn't throw out certain contaminated personal property that cannot be treated) an infestation could reoccur which would again trigger the landlord's responsibility.

Finally, the bill states the landlord must notify a prospective tenant whether the dwelling unit "contained bedbugs within the previous 8 months." This language is unclear and should state directly whether the bill is requiring an inspection for bedbugs at every turnover (at least when a treatment or inspection hasn't been conducted within the previous 8 months), or, better, simply state the last date that a unit had bedbugs.

For these reasons, the REALTORS® recommend an unfavorable report.

**For more information contact [bill.castelli@mdrealtor.org](mailto:bill.castelli@mdrealtor.org), [susan.mitchell@mdrealtor.org](mailto:susan.mitchell@mdrealtor.org),  
[theresa.kuhns@mdrealtor.org](mailto:theresa.kuhns@mdrealtor.org); [lisa.may@mdrealtor.org](mailto:lisa.may@mdrealtor.org)**