



**MARYLAND
LEGAL AID**

Advancing
**Human Rights and
Justice for All**

**STATEWIDE
ADVOCACY SUPPORT UNIT**

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February 14, 2022

The Honorable William C. Smith, Jr.
Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, Maryland 21401

**RE: Maryland Legal Aid's Testimony in Support of Senate Bill (SB) 529 - Real
Property - Landlord and Tenant - Bedbugs**

Dear Chair Smith and Members of the Committee:

Thank you for the opportunity to testify in support of SB 529. Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. MLA's 12 offices serve residents in each of Maryland's 24 jurisdictions. MLA handles various civil legal matters, including family law, housing, public benefits, consumer law (e.g., bankruptcy and debt collection), and criminal record expungements to remove barriers to obtaining child custody, housing, a driver's license, and employment. Maryland Legal Aid supports SB 529 and asks that the committee give it a favorable report.

This letter serves as notice that Gregory Countess, Esq. will testify in support of SB 529 on behalf of MLA at Senator Joanne Benson's request. This Bill requires compliance from both the tenant and landlord to eliminate bedbugs from a residence. Specifically, it requires a tenant to promptly report the presence of bedbugs to their landlord. Once notified, a landlord must, within 96 hours, have a certified applicator inspect the premises for bedbugs. The certified applicator has 24 hours after this inspection to provide the landlord with a report of its findings. Within two business days, the landlord must forward a copy of that report to the tenant and, if the certified applicator finds bedbugs present in the residence, the landlord must have all connecting units inspected. Within five business days of receiving the inspection report, the landlord must take steps to treat the bedbugs in any unit found to contain bedbugs. The landlord is responsible for paying the costs of the inspection and treatment.

This Bill also prohibits landlords from renting a dwelling with the known presence of bedbugs. Additionally, SB 529 requires landlords to make certain disclosures regarding bedbugs within a unit if asked by a tenant or prospective

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tenant. Lastly, this Bill provides specific remedies for landlords and tenants if either party does not comply with their obligations.

The importance of eliminating bedbugs as early as possible cannot be overstated. Bedbugs are unsanitary and can render a dwelling uninhabitable. They hide in beds, couches, and other similar spaces where they lay eggs and feed on blood by biting their hosts (i.e., the tenants). Once bedbugs appear, they multiply and spread throughout a unit and into neighboring units and can ultimately cover entire buildings unless and until they are entirely eradicated. When a bedbug infestation spreads to multiple units, but only one affected unit is treated, the bedbugs migrate from the surrounding infested units back into the treated unit. The cycle of bedbug infestation then continues.

MLA advocates have seen countless tenants who have experienced bedbug infestations. In many cases, landlords have reacted by either ignoring the problem or hiring a company to spray one unit but not eliminate the problem. This happens because landlords typically do not seek to eradicate the bedbugs by completing a thorough inspection followed by more effective measures to treat the bedbugs, such as heat treatments. In other words, in the experience of MLA advocates, landlords put a temporary band aid on a situation that requires a permanent and comprehensive solution.

One example of a case handled by MLA advocates demonstrates the need to require a process by which landlords must comply to eradicate bedbugs: A tenant came to MLA seeking help with a rent escrow case, because they were experiencing a bedbug infestation in their unit. The tenant advised the landlord that they had bedbugs in their unit and that bedbugs were present in the entire complex, including the walls in the hallways throughout the building. The landlord hired an exterminator to spray for bedbugs and refused to do any further treatment when that did not work. As a result, the tenant had to file a rent escrow case and wait for the court to set it in for a hearing while continuing to live with bedbugs. This tenant locked themselves in their bathroom to avoid the bedbugs from biting them. At the first hearing, the landlord told the court that they would hire an exterminator to spray for bedbugs. When that did not work, the landlord came back to court for a second hearing and was adamant that they would not be required to treat the bedbugs further. At the second hearing, the Court ordered the landlord to complete a heat treatment of the unit. While the heat treatment may provide temporary relief to this tenant, the unfortunate reality is that there is no statute in place that requires a landlord to have the surrounding units inspected and treated. Therefore, this tenant has no mechanism to fully require a landlord to eradicate the bedbugs. Their only solution is to move, at which point the landlord will move a new tenant in and continue this cycle without eradicating the bedbugs.

This Bill requires a landlord to do what the law already requires, to provide a habitable, clean, and safe place for their tenants. It provides a consistent, uniform process and mechanism by which both parties can work together to eliminate bedbug infestations in and around a unit to prevent the continued spread to other units. For these reasons, **Maryland Legal Aid urges a favorable report on Senate Bill 529.**

/S/ Gregory Countess

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