



Bill Title: Senate Bill 529, Real Property – Landlord and Tenant – Bedbugs

Committee: Judicial Proceedings Committee

Date: February 15, 2022

Position: Favorable with Amendments

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose members consist of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities. Our members house over 538,000 residents of the State of Maryland. MMHA also represents over 250 associate member companies who supply goods and services to the multi-housing industry.

This legislation requires a tenant to promptly notify the landlord the tenant knows or reasonably suspects that the tenant's dwelling unit contains bed bugs. A landlord notified of the presence or suspected presence of bed bugs must obtain an inspection within 96 hours. The bill authorizes a landlord to enter a dwelling unit for purposes of an inspection and establishes that a landlord is responsible for costs associated with inspection of and treatment for bedbugs.

While bedbugs do not transmit disease, infestations have been known to cause consternation among those affected. Without the cooperation of residents, bedbug infestations can result in significant financial and administrative burdens for apartment owners, operators, and their staffs, causing property loss, expense, and inconvenience. Owners and managers of rental housing face a number of challenges associated with addressing bedbug infestations, including increased operational costs and resident non-compliance with inspection and treatment protocols. Policymakers should consider that contamination may spread to neighboring units if residents fail to comply. While pest management professionals offer cost-effective treatment methods, such as heat treatments, these costs can add up and put an unexpected strain on an owner or management firm's operating budget, particularly small businesses.

MMHA has the following concerns:

1. Responsibility of the Resident: The central challenge housing providers have in addressing bedbugs is ensuring that the resident has timely prepared the property and their belongings. Any delay caused by the resident creates added cost and property challenges. As a result, MMHA requests an amendment to hold the resident accountable if the resident fails to property prepare the dwelling unit and if so, a housing provider can pursue a breach of lease action. Please see attached amendments.
2. Personal Property: This legislation assumes that certified applicators treat bedbugs on a resident's personal property, bedding, clothing and the like. MMHA is unaware of a



certified applicator treating anything other than upholstered furniture and the unit itself, including carpeting and wall cavities (see page 4, line 12; page 4, line 13; page 4, line 21; page 4, line 24; page 4, line 27).

Bedbugs are introduced to apartments by residents. As such, legislation addressing bedbug eradication in rental units must properly balance responsibility for preventive action and eradication costs between residents and owners. When the resident fails to meet their obligation, the resident should have financial responsibility. Senate Bill 529 neglects to fully balance the responsibilities between the housing provider and the resident.

For these reasons, we respectfully request a favorable report with amendments on Senate Bill 529.

Aaron J. Greenfield, MMHA Director of Government Affairs, 410.446.1992



Amendments to Senate Bill 529

Amendment No. 1

On page 3, in line 24, after “LAW”, insert “AND SUBJECT TO SECTION 8-1003(A)(3)”

Amendment No. 2

On page 4, after line 8, insert “(3) A TENANT WHO DENIES ACCESS AND FAILS TO PROPERLY PREPARE THE DWELLING UNIT IS RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH AN INSPECTION FOR, AND THE TREATMENT OF, BEDBUGS.”

Amendment No. 3

On page 6, in line 6, after “PERSON” insert “, INCLUDING BREACH OF LEASE UNDER REAL PROPERTY ARTICLE SECTION 8-402.1.”