

[Third Reprint]

ASSEMBLY, No. 3203

STATE OF NEW JERSEY
213th LEGISLATURE

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Sponsored by:

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**Assemblywomen Vainieri Huttle, Rodriguez, Assemblymen Vas, Ramos
and Johnson**

SYNOPSIS

Establishes procedures to prevent and eradicate bedbug infestations in certain residential property.

CURRENT VERSION OF TEXT

As reported by the Assembly Housing and Local Government Committee on January 15, 2009, with amendments.

(Sponsorship Updated As Of: 2/6/2009)

1 AN ACT concerning bedbug infestations in residential dwellings and
2 supplementing and amending Title 26 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. (New section) The Legislature finds and declares that:

8 a. Populations of the common bedbug, *Cimex lectularius*, have
9 increased by 500 percent in the past few years.

10 b. A bedbug infestation is a uniquely hard to exterminate threat
11 to the health and habitability of a dwelling because tiny adult
12 bedbugs are able to hide deep in mattresses and walls, and their
13 food source is the occupants of a dwelling.

14 c. Bedbugs leave signs of their presence in bedding and in a
15 dwelling that are visible to the naked eye, making education of a
16 dwelling occupant a critical aspect of prevention.

17 d. Bedbugs feed on ¹**[human]** the¹ blood ¹of humans and
18 domestic animals¹, and present a public ¹**[health]** welfare¹ risk.

19 e. Bedbugs travel through the ventilation systems in multi-unit
20 establishments, causing ¹the presence of bedbugs in¹ exponential
21 ¹**[infestations]** numbers¹.

22 f. The owner of a multiple dwelling ¹, with the cooperation of
23 tenants,¹ is in the best position to coordinate the extermination ¹of¹
24 bedbug ¹**[infestations]** populations¹ in that multiple dwelling.

25 g. The common bedbug is a public nuisance and it is a matter
26 of public welfare to protect New Jersey citizens' health from this
27 pest.

28 ¹h. Tenants of multiple dwellings should be educated and
29 vigilant about preventing the presence of bedbugs in their homes.¹

30

31 2. (New section) For purposes of this act:

32 "Bedbug" means an insect of the species "*Cimex lectularius*,"
33 commonly referred to as a bedbug.

34 "Commissioner" means the Commissioner of Health and Senior
35 Services.

36 ¹"Common interest community" means a horizontal property
37 regime, condominium, cooperative, or mutual housing corporation
38 in which some of the property, known as common elements or
39 common areas, is owned as tenants-in-common or otherwise owned
40 by all of the property owners.¹

41 "Department" means the Department of Health and Senior
42 Services.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined **thus** is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHO committee amendments adopted December 8, 2008.

²Assembly floor amendments adopted December 15, 2008.

³Assembly AHO committee amendments adopted January 15, 2009.

1 "Dwelling" or "multiple dwelling" means a multiple dwelling as
2 defined in section 3 of the "Hotel and Multiple Dwelling Law,"
3 P.L.1967, c.76 (C.55:13A-3) ¹, except that this definition shall not
4 include any common interest community¹.

5 "Eradicate" means the process ¹**【required】** that shall be
6 undertaken by a commercial pesticide applicator, licensed pursuant
7 to the "Pesticide Control Act of 1971," P.L.1971, c.176 (C.13:1F-1
8 et seq.) and the rules and regulations promulgated by the New
9 Jersey Department of Environmental Protection to effectuate that
10 act,¹ to eliminate ¹**【an infestation】** the presence¹ of bedbugs by
11 poisoning, spraying, fumigating, trapping, or by any other
12 recognized and lawful pest-elimination methods, including repeated
13 applications of any treatment ¹, particularly to areas where bedbugs
14 are likely to congregate¹. ²An eradication shall be deemed
15 completed if there has been no evidence of bedbug activity for 50
16 days after the last application of any treatment.²

17 ¹**【"Infestation"】** ²**【"Presence"】**¹ means the presence of bedbugs in
18 numbers large enough to be noticeable, harmful, or threatening to
19 the occupants of a dwelling unit. ²

20 "Local board" or "local board of health" means the board of
21 health of any municipality or the boards, bodies or officers in such
22 municipality lawfully exercising any of the powers of a local board
23 of health under the laws governing such municipality.

24 "Local health officer" means any duly appointed health officer
25 employed by the local board of health as described in R.S.26:3-19.

26 "Owner" means the owner as defined in section 3 of the "Hotel
27 and Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-3) ¹, except
28 that this definition shall not include any ownership interest in any
29 common interest community.

30 "Risk factors" means tenant behaviors that increase the
31 possibility of the presence of bedbugs in a unit and include, but are
32 not limited to, living with a domestic pet, furnishing with older
33 furniture that has not been properly sanitized, and travel to tropical
34 climates without proper precautions.

35 "Seasonal use" means use or rental of a unit for a term of not
36 more than 125 consecutive days for residential purposes by a person
37 having a permanent place of residence elsewhere. "Seasonal use"
38 does not mean use or rental of living quarters for seasonal,
39 temporary or migrant farm workers in connection with any work or
40 place where work is being performed. The owner shall have the
41 burden of proving that the use or rental of the residential property is
42 seasonal¹.

43
44 3. (New section) a. The department, in consultation with the
45 Department of Community Affairs, shall, as soon as practicable and
46 annually thereafter, prepare a pamphlet that describes bedbugs and
47 explains how ¹**【bedbug infestations spread】** the presence of

1 bedbugs spreads¹. This pamphlet may contain any information that
2 the commissioner deems necessary and may be revised by the
3 department whenever new information concerning bedbugs
4 becomes available. The pamphlet shall contain the following
5 information:

6 (1) Measures that may be taken to prevent and control ¹~~["bedbug~~
7 ~~infestations"]~~ the presence of bedbugs¹ in a residential setting,
8 including professional extermination, cleaning the dwelling space
9 and mattresses, and laundering bedclothes, and clothing;

10 (2) Specific facts about the bedbug, including its appearance and
11 breeding habits; ¹~~["and"]~~¹

12 (3) The State's guidelines and regulations for disinfecting,
13 labeling, and reselling mattresses¹; ³~~["and"]~~³

14 (4) Tenant behaviors that are risk factors for attracting and
15 supporting the presence of bedbugs^{1 3}; and

16 (5) A statement describing the legal rights and responsibilities
17 imposed on tenants and owners of multiple dwellings by this act,
18 including, but not limited to the owner's duty to keep the premises
19 free of the presence of bedbugs, a tenant's duty to notify the owner
20 of the presence of bedbugs, and the potential financial liability of a
21 tenant for repeated eradications caused by either a failure to
22 properly maintain the unit or for interfering with the owner's access
23 to the unit for inspection or eradication purposes³.

24 b. The department shall make the pamphlet available ¹~~["at no~~
25 ~~cost"]~~¹ to the public ¹~~["], in a form suitable for distributing pursuant~~
26 ~~to the provisions of this act. The department shall make the~~
27 ~~pamphlet available"]~~¹ in both the English and Spanish languages.
28 The department shall post the pamphlet on the department's Internet
29 website, in an easily printable format. The pamphlet shall serve as
30 an informational document only, and nothing therein shall be
31 construed as binding on or affecting a judicial determination related
32 to this act. The pamphlet shall not be deemed to be medical advice.

33 c. Within ³~~["30"]~~ 90³ days after the department has made the
34 pamphlet available to the public, every owner of a multiple
35 dwelling shall provide each occupied dwelling unit in the multiple
36 dwelling with a copy of the pamphlet ²~~["], and thereafter"]~~
37 ³personally delivered to the unit or sent by registered mail or
38 certified mail, return receipt requested, to the tenant's last known
39 address, which may be the address of the unit³. Each tenant shall
40 sign and acknowledge receipt thereof. ³If an owner is unable to
41 secure the tenant's signature or acknowledgement of receipt, the
42 owner shall be deemed to have complied with the requirements of
43 this subsection if the owner makes two attempts, in good faith, to
44 deliver the pamphlet, at least one of which attempts shall be
45 tendered by registered mail or certified mail, return receipt
46 requested, and both of which shall be documented, including their

1 date, in the owner's written records or electronic database.³ After
2 the department has made the pamphlet available to the public.²
3 every owner of a multiple dwelling shall provide a copy of the
4 current pamphlet to each new tenant at or prior to the time the
5 tenant assumes occupancy of the dwelling. ²Each new tenant shall
6 sign and acknowledge receipt thereof to the owner A signed
7 provision acknowledging receipt in a lease agreement dated on or
8 after the date the pamphlet is made available to the public shall be
9 deemed sufficient notice pursuant to this section. ²

10 ¹[In addition, every owner of a multiple dwelling shall keep a
11 copy of the current pamphlet conspicuously posted in one or more
12 common areas and in a manager's office, so that the pamphlet is
13 prominent and accessible to the occupants of each dwelling unit. If
14 there is no common area in the dwelling, the pamphlet shall be
15 posted in a conspicuous location in the premises, including, but not
16 limited to the walls of the front vestibule or any foyer or hallway
17 near the main entrance of the dwelling.]

18 d. ³The pamphlet shall contain, in a conspicuous form, the
19 following statement:

20 "If you notice or suspect the presence of bedbugs in your unit,
21 you are required by law to promptly notify the owner or manager of
22 your unit. You may be responsible for the costs of exterminating
23 bedbugs if you do not notify your owner or manager."

24 e.³ The pamphlet shall contain a separate written statement as
25 follows:

26 "Upon reasonable notice, you ³[may be required to] must³ grant
27 the owner of your apartment access to the apartment for purposes of
28 an inspection for ³or the eradication of³ the presence of bedbugs.
29 This inspection may include a visual inspection and manual
30 inspection of your personal belongings, limited to bedding or
31 ²[upholstered]² furniture. If bedbugs are found in the unit,
32 additional access and measures may be required. If you do not
33 grant your landlord access for purposes of an inspection for ³or the
34 eradication of ³ the presence of bedbugs or if you obstruct access
35 for purposes of visual inspection, your landlord may not be
36 responsible for any ²costs and² damages relating to and arising from
37 bedbugs in your unit. ²You may also be responsible for the costs of
38 repeated eradication of bedbugs if you fail to properly maintain
39 your dwelling.²"

40 ³[e.]f.³ The pamphlet shall contain a separate written
41 statement notifying the tenant that,

42 (1) upon termination of the lease and move out, the owner may
43 inspect the unit for the presence of bedbugs, and

44 (2) The presence of bedbugs in the unit may constitute damages
45 to the unit beyond normal wear and tear and actual eradication costs

1 may be itemized and deducted from the tenant's security deposit
2 pursuant to section of 3 of P.L.1971, c.223 (C.46:8-21.1).¹

3

4 4. (New section) a. Every owner of a multiple dwelling shall
5 be responsible, at his own expense, for maintaining the multiple
6 dwelling free of ¹an infestation the presence¹ of bedbugs ¹except
7 pursuant to section 7 of P.L. , c. (C.) (pending before the
8 Legislature as this bill)¹.

9 b. ¹Any tenant who has knowledge of the presence of bedbugs
10 ², or who suspects the presence of bedbugs based on the presence of
11 characteristic bite marks,² shall notify the owner in writing of the
12 presence of bedbugs in the dwelling unit.

13 c.¹ Upon ¹written notice ¹[, either oral or written,]¹ from a
14 tenant, or from the local board pursuant to R.S.26:3-49, of ¹an
15 infestation the presence¹ of bedbugs in any dwelling unit, an
16 owner shall ¹[immediately]¹, ¹within 10 days following ³that³
17 written notice ³[to all affected tenants]^{3, 1} at his own expense,

18 (1) ²[eradicate the ¹infestation presence¹of] begin the process
19 of eradicating² bedbugs in the dwelling unit;

20 (2) ascertain ¹[whether] the presence of bedbugs in¹ other
21 dwelling units or common areas ¹[are infested with bedbugs]¹; and

22 (3) ¹following written notice to the tenants of those units where
23 bedbugs are present,¹ eradicate any remaining ¹infestation
24 presence of bedbugs¹ in other dwelling units or common areas

25 ¹[c. When an infestation of bedbugs is found to exist in two or
26 more dwelling units, or in a common area, the owner of the multiple
27 dwelling shall provide notice that there is a risk of an infestation of
28 multiple units to each occupant of the multiple dwelling by causing
29 written notice to be delivered to each dwelling unit in the multiple
30 dwelling.]

31 The provisions of this subsection to the contrary
32 notwithstanding, an owner shall, within seven days following
33 written notice to all affected tenants, at his own expense, eradicate
34 the presence of bedbugs in a dwelling unit leased, occupied, or
35 rented for seasonal use.

36 d. (1) When the owner of a multiple dwelling requires access to
37 a unit for purposes of ascertaining the presence of bedbugs or
38 eradicating the presence of bedbugs, the owner shall provide at least
39 48 hours' notice to the tenants, in writing, that the owner requires
40 access for purposes of ascertaining ³or eradicating³ the presence of
41 bedbugs.

42 (2) ³Upon reasonable notice pursuant to paragraph (1) of this
43 subsection, a tenant shall grant an owner access to the affected unit
44 for purposes of inspection or eradication.³ If the tenant, after
45 receiving reasonable notice of an inspection or eradication pursuant
46 to this subsection, interferes with, obstructs, or actively inhibits

1 access to the unit for purposes of a visual inspection for, or
2 eradication of, the presence of bedbugs, the owner shall not be
3 liable to the tenant of the unit for any damages relating to and
4 arising from the presence of bedbugs.¹

5
6 5. (New section) a. ¹**['The tenant]** If the owner does not act,
7 within 10 days, pursuant to section 4 of P.L. , c. (C.) (pending
8 before the Legislature as this bill), the tenant¹ may notify¹, in
9 writing,¹ the local board ¹**['and the owner of a multiple dwelling]** or
10 local health officer¹ of any failure of the multiple dwelling to be
11 kept in a condition free of ¹**['an infestation]** ²**['the presence¹ of]**²
12 bedbugs.

13 b. If, following ¹written¹ notice ¹**['**, either oral or written,¹**']**¹
14 from a tenant, or from the local board pursuant to R.S.26:3-49, ¹or
15 from the Department of Community Affairs, pursuant to an
16 inspection conducted pursuant to section 7 of P.L.1967, c.76
17 (C.55:13A-7)¹ the owner of a multiple dwelling does not eradicate
18 ¹**['an infestation]** the ²**['presence¹ of]**² bedbugs pursuant to section
19 4 of P.L. , c. (C.) (pending before the Legislature as this
20 bill), the local health officer shall act as an agent for the owner of a
21 multiple dwelling to ²**['immediately]**² inspect for the presence of
22 bedbugs and, if required, to¹ engage a ¹**['qualified insect**
23 exterminator or insect management professional] commercial
24 pesticide applicator¹ at a usual and customary price in the area to
25 eradicate the ¹**['infestation]** ²**['presence¹ of]**² bedbugs ², within 10
26 days following written notice to all affected tenants, as described in
27 subsection c. of section 4 of P.L. , c. (C.) (pending before the
28 Legislature as this bill)².

29 c. Any ¹**['exterminator or insect management professional]**
30 commercial pesticide applicator¹ who provides services to eradicate
31 ¹**['an infestation]** the presence of bedbugs¹ in accordance with
32 subsection a. of this section may bill the owner of a multiple
33 dwelling directly. The ¹municipality or a¹ local board may adopt an
34 ordinance, similar to an ordinance adopted pursuant to section 6 of
35 P.L.1962, c.66 (C.40:48-2.12f), providing that the municipality
36 shall pay the costs of eradication of ¹**['an infestation]** the presence¹
37 of bedbugs, and that the costs shall be charged against the multiple
38 dwelling premises, and ²**['shall]** may² be a lien against the premises.
39 ²In the event that a landlord fails to pay the costs pursuant to this
40 section, the municipality or local board may serve written notice of
41 the failure to pay, and shall demand that the deficiency be cured
42 within 10 days. Judicial notice or hearing shall be required to
43 enforce the lien.² The owner of the multiple dwelling shall
44 reimburse the local health officer or local board for the actual costs

1 incurred for any eradication of ¹~~an infestation~~ the presence¹ of
2 bedbugs.

3
4 ¹6. (New section) a. An owner shall visually inspect the unit no
5 more than 30 days prior to the date a new lease term commences or
6 a new tenant commences occupancy of a dwelling unit, except for a
7 dwelling unit rented, occupied, or leased for seasonal use. The
8 owner shall visually inspect any dwelling unit rented, occupied, or
9 leased for seasonal use that has been unoccupied for 30 days or
10 more prior to the date a new lease term commences or a new tenant
11 commences occupancy of a dwelling unit. The owner shall include
12 a provision in the lease certifying that the owner has visually
13 inspected the dwelling unit for the presence of bedbugs.

14 b. An owner may visually inspect a dwelling unit for evidence
15 of the presence of bedbugs when an tenant terminates occupancy of
16 the unit. If the owner ascertains the presence of bedbugs, of which
17 the owner has not received notice pursuant to section 4 of P.L. ,
18 c. (C.) (pending before the Legislature as this bill), the
19 presence of bedbugs may constitute damages to the unit beyond
20 normal wear and tear, and the owner may itemize and deduct from
21 the tenant's security deposit pursuant to section of 3 of P.L.1971,
22 c.223 (C.46:8-21.1) ³, provided that the landlord has complied with
23 the procedures set forth in subsection c. of section 3 of P.L. ,
24 c. (C.) (pending before the Legislature as this bill)³.

25 c. The owner may also deduct from the security deposit any
26 costs for eradication services for which the tenant is responsible
27 pursuant to section 7 of P.L. , c. (C.) (pending before the
28 Legislature as this bill) and that are due and owing to the landlord ³,
29 provided that the landlord has complied with the procedures set
30 forth in subsection c. of section 3 of P.L. , c. (C.) (pending
31 before the Legislature as this bill)³.¹

32
33 ¹7. (New section) If repeated eradications are necessary due to
34 the tenant's failure to properly maintain the dwelling, the costs of
35 eradication may be charged to the tenant ³, provided that the
36 landlord has complied with the procedures set forth in subsection c.
37 of section 3 of P.L. , c. (C.) (pending before the Legislature
38 as this bill)³.¹

39
40 ¹6.] ¹8. (New section) a. Any owner of a multiple dwelling
41 whose negligence or failure to act results in action by the local
42 health officer pursuant to section 5 of P.L. , c. (C.)
43 (pending before the Legislature as this bill) shall be liable for a civil
44 penalty of not more than \$300 for each affected dwelling unit and
45 not more than \$1000 for each affected common area in the multiple
46 dwelling. Such penalty shall be ¹~~recoverable~~ recovered¹ by and
47 in the name of the local board of health¹, if one exists. If no local

1 board exists, the penalty shall be paid into the treasury of the
2 municipality in which the violation occurred for the general uses of
3 the municipality. ²[If the violation is of a continuing nature, each
4 day during which it continues constitutes an additional, separate,
5 and distinct offense¹².

6 b. The local board or local health officer may bring an action in
7 ¹[any court of competent jurisdiction to enforce] a summary
8 manner pursuant to the "Penalty Enforcement Law of 1999,"
9 P.L.1999, c.274 (C.2A:58-10 et seq.), and the Rules Governing the
10 Courts of the State of New Jersey governing actions for the
11 collection of civil penalties, in the municipal court or the Superior
12 Court to recover¹ a penalty imposed pursuant to subsection a. of
13 this section. The court is empowered to issue any appropriate
14 injunctive orders, and to authorize immediate collection of
15 reimbursable costs due the local board.

16

17 ¹[7.] 9.¹ (New section) The commissioner, in consultation with
18 the Department of Community Affairs, pursuant to the
19 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
20 seq.), shall adopt rules and regulations to effectuate the purposes of
21 this act.

22

23 ¹[8.] 10.¹ R.S.26:3-46 is amended to read as follows:

24 26:3-46. The local board, within its jurisdiction, shall examine
25 into and prohibit any nuisance, offensive matter, foul or noxious
26 odors, gases or vapors, water in which mosquito larvae breed, and
27 all causes of ill health or disease, including bedbugs, which may be
28 known to the board or brought to its attention, which, in its
29 opinion, are injurious to the health of the inhabitants therein, and
30 shall cause the same to be removed and abated at the expense of
31 the owner.

32 (cf: R.S.26:3-46)

33

34 ¹[9.] 11.¹ R.S.26:3-49 is amended to read as follows:

35 26:3-49. Whenever any nuisance, noxious gases or vapors, water
36 in which mosquito larvae breed, or cause of ill health or disease is
37 found on private property, the local board shall notify the owner to
38 remove and abate the same, at his own expense, within such time
39 as the board may specify. A duplicate of the notice shall be left
40 with one or more of the tenants or occupants. Whenever any
41 infestation of bedbugs is found in a multiple dwelling, the local
42 board shall notify the owner to eradicate the infestation, at his own
43 expense, immediately.

44 If the owner resides out of the state or cannot be so notified
45 speedily, a notice left at the house or premises with the tenant or
46 occupant, or posted on the premises, shall suffice.

1 In the event that an owner does not eradicate an infestation of
2 bedbugs immediately following notice pursuant to this section, the
3 local board of health is authorized to act as an agent for the
4 landlord, pursuant to section 5 of P.L. , c. (C.), for purposes
5 of eradicating the infestation.

6 (cf: R.S.26:3-49)

7
8 ¹~~10.~~ ^{12.} R.S.26:3-54 is amended to read as follows:

9 26:3-54. The local board may recover, by a civil action, the
10 expenses incurred in such removal and abatement from any person
11 who shall have caused or allowed such nuisance, source of foulness,
12 water in which mosquito larvae breed, or cause of sickness,
13 hazardous to the public health to exist, or from any owner, tenant,
14 or occupant of premises who, after notice as herein provided, shall
15 fail to remove and abate the same within the time specified in the
16 notice. The local board may recover, by a civil action, the
17 expenses incurred in eradication of an infestation of bedbugs,
18 pursuant to section 5 of P.L. , c. (C.), from the owner of a
19 multiple dwelling who, after notice, failed to eradicate the
20 infestation of bedbugs.

21 (cf: P.L.1953, c.26, s.14)

22
23 ^{13.} Section 7 of P.L.1967, c.76 (C.55:13A-7) is amended to
24 read as follows:

25 7. The commissioner shall issue and promulgate, in the manner
26 specified in section 8 of P.L.1967, c.76 (C.55:13A-8), such
27 regulations as the commissioner may deem necessary to assure that
28 any hotel or multiple dwelling will be maintained in such manner as
29 is consistent with, and will protect, the health, safety and welfare of
30 the occupants or intended occupants thereof, or of the public
31 generally.

32 Any such regulations issued and promulgated by the
33 commissioner pursuant to this section shall provide standards and
34 specifications for such maintenance materials, methods and
35 techniques, fire warning and extinguisher systems, elevator
36 systems, emergency egresses, and such other protective equipment
37 as the commissioner shall deem reasonably necessary to the health,
38 safety and welfare of the occupants or intended occupants of any
39 units of dwelling space in any hotel or multiple dwelling, including
40 but not limited to:

41 (a) Structural adequacy ratings;

42 (b) Methods of egress, including fire escapes, outside fireproof
43 stairways, independent stairways, and handrails, railings, brackets,
44 braces and landing platforms thereon, additional stairways, and
45 treads, winders, and risers thereof, entrances and ramps;

46 (c) Bulkheads and scuttles, partitions, walls, ceilings and floors;

47 (d) Garbage and refuse collection and disposal, cleaning and
48 janitorial services, repairs, and extermination services;

- 1 (e) Electrical wiring and outlets, and paints and the composition
2 thereof;
- 3 (f) Doors, and the manner of opening thereof;
- 4 (g) Transoms, windows, shafts and beams;
- 5 (h) Chimneys, flues and central heating units;
- 6 (i) Roofing and siding materials;
- 7 (j) Lots, yards, courts and garages, including the size and
8 location thereof;
- 9 (k) Intakes, open ducts, offsets and recesses;
- 10 (l) Windows, including the size and height thereof;
- 11 (m) Rooms, including the area and height thereof, and the
12 permissible number of occupants thereof;
- 13 (n) Stairwells, skylights and alcoves;
- 14 (o) Public halls, including the lighting and ventilation thereof;
- 15 (p) Accessory passages to rooms;
- 16 (q) Cellars, drainage and air space;
- 17 (r) Water-closets, bathrooms and sinks;
- 18 (s) Water connections, including the provision of drinking and
19 hot and cold running water;
- 20 (t) Sewer connections, privies, cesspools, and private sewers;
- 21 (u) Rain water and drainage conductors;
- 22 (v) Entrances and ramps; **[and]**
- 23 (w) Presence of lead-based paint hazards in multiple dwellings
24 and in single-family and two-family dwellings, exclusive of owner-
25 occupied dwelling units, subject to P.L.2003, c.311 (C.52:27D-
26 437.1 et al.). In a common interest community, any inspection fee
27 for and violation found within a unit which is solely related to this
28 subsection shall be the responsibility of the unit owner and not the
29 homeowners' association, unless the association is the owner of the
30 unit; and
- 31 (x) Presence of bedbugs, as defined in section 2 of P.L. _____,
32 c. (C. _____) (pending before the Legislature as this bill), or the
33 presence of other vermin and pests in multiple dwellings.¹
- 34 (cf: P.L.2007, c.251, s.5)
- 35

36 ¹**[11.] 14.** This act shall take effect immediately.