

ASSEMBLY HOUSING AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2072

STATE OF NEW JERSEY

DATED: FEBRUARY 8, 2010

The Assembly Housing and Local Government Committee reports favorably Assembly Bill No. 2072.

This bill would require owners of multiple dwellings to maintain a safe and clean living environment free of the presence of bedbugs. This legislation provides that property owners are responsible for maintaining multiple dwellings free of bedbug infestations, and must remove bedbugs at their own expense when they become aware of an infestation in a multiple dwelling. This bill provides that a landlord who does not take prompt action upon written notice that bedbugs have infested a property is financially liable for the consequences.

The Department of Health and Senior Services is charged with preparing and publishing a bedbug education document in pamphlet form. The legislation would require multiple dwelling owners to provide tenants with this pamphlet within 90 days after the department makes it available to the public. Owners of multiple dwellings would be required to deliver this pamphlet to tenants, who would be required to sign an acknowledgment that they received this document. If an owner is unable to obtain a signature, the owner shall be deemed in compliance with the delivery requirement if two attempts are made to deliver the pamphlet, one of which shall be by certified or registered mail.

This publication would set forth the legal rights and responsibilities of both owners and tenants imposed by this legislation. The pamphlet would advise tenants that their units may be subject to inspection for bedbugs and that the tenants may be responsible for certain costs related to bedbug eradication. If enacted, this legislation would require the owner to deliver the pamphlet before charging certain expenses to tenants or deducting certain expenses from tenants' security deposits.

This bill requires owners to act to eradicate bedbugs within 10 days of receiving written notice of the presence of bedbugs in a unit. When a unit is rented for seasonal use, the owner would have only seven days to act. This bill also requires the owner of a multiple dwelling to provide the tenant with 48 hours' notice that access is required to a unit for purposes of eradicating the presence of bedbugs

prior to entering the unit for purposes of inspecting for or eradicating bedbugs.

This legislation imposes a duty on tenants to notify the owner of the presence of bedbugs in the unit. This legislation also would require a local board of health to act on the owner's behalf to eradicate the presence bedbugs when an owner does not do so. This bill has no financial impact on taxpayers because the property owner is required to reimburse the board when it acts on the owner's behalf.