

BEDBUGS

Our favorite words!

After two years of negotiation the Arizona legislature finally enacted a weakened bedbug law and it was signed into law by Governor Brewer on April 19, 2011.

The new law does several things:

1. It prohibits local jurisdictions, including counties and cities, from enacting their own legislation concerning the control of bedbugs.
2. It requires landlords to provide educational materials concerning bedbugs – including a description of their appearance, measures that can be taken to prevent and control bedbugs, and risk factors for bedbug infestations – to all current and new tenants.
3. It prohibits landlords from entering into a lease agreement for a unit that the landlord knows to be infested with bedbugs.
4. It requires residents who are aware of a bedbug infestation to provide written or electronic notification to the landlord about the presence of bedbugs.
5. It prohibits tenants from knowingly moving into a unit items that are infested with bedbugs.
6. It maintains all of the existing rights and remedies under the Arizona Residential Landlord and Tenant Act (ARTLA).

These provisions become effective on or about July 20, 2011.

Although there is still a short time before these requirements become mandatory, we recommend that properties begin including the educational information with all new leases and start distributing it to current residents as soon as possible. To avoid later issues about compliance, we also recommend that when the information is provided to a resident, a copy should be placed in the resident's tenancy file, with information about how and when it was delivered.

The Law Office of Scott Clark has prepared an educational handout that complies with these requirements. Any property that needs a copy of it can contact staff and we will be happy to provide it to you.