

FILE NO. 120815

## **LEGISLATIVE DIGEST**

[Health Code- Bed Bug Infestation Prevention, Treatment, Disclosure & Reporting]

**Ordinance amending the San Francisco Health Code by adding Article 11A requiring: 1) the Department of Public Health ("DPH") to provide written information outlining the rights and responsibilities of tenants, property owners and Pest Control Operators ("PCO") regarding the prevention and treatment of bed bug infestations; 2) DPH to develop a training curriculum on bed bug abatement; 3) owners to respond to bed bug infestation complaints; 4) property owners to disclose bed bug infestation history for the previous two years; 5) DPH to collect and publish bed bug data on a quarterly basis; 6) the Health Department to conduct a biannual public hearing to review DPH's written materials, and adopt amendments as appropriate; establishing enforcement procedures; and making environmental findings.**

### Existing Law

San Francisco Health Code Section 581(b)(8) identifies bed bugs as a public nuisance. The San Francisco Department of Public Health ("DPH") issued regulations for the prevention and control of bed bugs in May 2012.

### Amendments to Current Law

The proposed ordinance would add Article 11A to the Health Code, requiring DPH to create, distribute, and maintain written information that clearly describes the rights and responsibilities of tenants, property owners, property managers, and licensed Pest Control Operators ("PCO") regarding bed bug abatement. DPH would certify that a reported bed bug infestation has been abated after treatment is administered, and would produce quarterly reports aggregating data and showing historical trends of bed bug infestations. .

The proposed ordinance would also require the property owner, except for tourist hotels, to disclose bed bug infestation history for the previous two years to prospective tenants. Property owners and managers would be required to investigate bed bug infestation complaints, and record and abate confirmed bed bug infestations in conformity with rules adopted by DPH for the prevention and control of bed bug infestation. Violations of this ordinance could be enforced by DPH through an issuance of a Notice of Violation (NOV) and the procedures established by S.F. Health Code Section 596 or 596.5.

The Health Department would be required to conduct a bi annual public hearing to review DPH's Rules and Regulations for the Prevention and Treatment of Bed Bug Infestations, and adopt amendments as determined to be appropriate under the goals and requirements of this Article.

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Background Information

Bed bug infestations are a nuisance, and have received increased media attention, potentially negatively affecting tourism. Effective bed bug abatement is more likely to occur when tenants, property owners and managers, and licensed pest control operators are properly trained with a baseline curriculum, and when property owners are required to disclose bed bug infestation history to prospective tenants.