



VOSE FARM

RESIDENCES

A DEVELOPMENT BY CATHOLIC CHARITIES NH

Address: 105 Loudon Road, Unit 1, Concord, NH 03301
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INSECT INFESTATION AND EXTERMINATION Addendum to Lease

Please notify the office if you notice any quantity of insects in your apartment. Bed Bugs are a new concern. You could inadvertently infect your apartment by bringing in a piece of used furniture or in your luggage after taking a trip.

We would recommend you not borrow or purchase a used mattress, box spring or other furniture without first verifying it is bug free. In the event that you do purchase or borrow furniture, you need to inspect for any signs of infestation.

If your apartment becomes infested there is a very strict procedure to follow before each treatment (on average, a total of two are needed). **This procedure and the associated cost will be paid by the Landlord but may become the responsibility of the Tenant if the Tenant is responsible for the infestation.**

Your cooperation in preparing your apartment when notified your apartment will be exterminated is required. When one apartment calls the Management Office for this service, all units, which abut that unit, must be inspected. If you fail to ready your apartment, you make your neighbors' effort useless in ridding an apartment of any type of infestation and repeat calls become necessary. You will be charged for the cost of repeat calls required by your failure to cooperate.

Under no circumstances should any resident treat the apartment with over the counter pesticides. If a resident is found to have self treated it could lead to inability to treat immediately or having the cost become your responsibility.

Attached please find the New Hampshire Legal Assistance Bed Bug Booklet for some additional information and laws in relation to housing.

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New Hampshire Legal Assistance For Insects

Equal Access to Justice in Civil Cases

1. HB 482: THE PRIMARY GOAL IS EARLY DETECTION AND REMEDIATION

2. Bed Bugs: Get It Re-mediated!

- a. HB 482 (eff. Jan. 1, 2014), allows emergency entry re bed bugs, provided within 72 hours of becoming aware of complaint (if tenant adjacent to complaining unit – 48 hrs advance notice).
- b. HB 482 makes it a 540-A violation for a landlord to willfully fail to investigate, or fail to take reasonable measures to remediate an infestation within 7 days.
- c. HB 482 makes it a 540-A violation for tenants to refuse entry, or refuse to comply with 72 hour advance instructions prior to remediation.
- d. None of these 540-A violations directly result in statutory money damages, but contempt and contempt damages still a possibility.

3. Bed Bug Costs

- a. HB 482 (at RSA 540:13-e) requires landlords to pay up-front for all bed bug remediation costs.
- b. HB 482 allows landlords to recover costs for remediation in tenant's unit only, and only if tenant "responsible."
- c. If tenant is "responsible" and doesn't pay for cost in his/her unit, landlord can evict for nonpayment, but landlord must first show a "reasonable repayment agreement" was offered.
- d. Assumption tenant is "responsible" if the only tenant with bed bugs, and no other reports in last six (6) months.
- e. Other non-exhaustive factors for Court to consider to determine whether tenant is "responsible": other locations of bed bugs; where first discovered; landlord efforts; and if tenant had bed bugs prior to moving in.



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1. Bed Bugs and Fair Housing

- a. Landlord can evict for failure of tenant to prepare the unit with advance reasonable written notice.
- b. Compliance with prep: “...such instructions are given to an adult member of the tenant household such that the tenant household has a reasonable opportunity to comply, and in all cases at least 72 hours prior to remediation.” RSA 540-A:3, V-c (emphasis added).
- c. Reasonable accommodation requests related to preparing your unit.
- d. Mental or physical disabilities apply.
- e. Reasonable accommodation requests can be made verbally.

2. Other Notes on Bed Bug Law

- a. Definition of “remediation” is substantial reduction of bed bugs for at least 60 days.
- b. Municipality housing codes on bed bugs must be no less protective than other housing codes dealing with other insects.

