

Chicago Bed Bug Ordinance

Sample Bed Bug Notification Letter For Tenants



IMPORTANT: Please read and understand the instructions prior to using this sample letter.

Under the Chicago Bed Bug Ordinance, a tenant who sees or suspects bed bugs in their unit must notify the landlord in writing, within 5 days.

The bed bug ordinance applies to all rental units.

You should copy/paste or re-type this letter and include the date, your name, the landlord's name, etc. where indicated. Information to be changed is formatted as follows: [INFORMATION TO CHANGE].

You should use the rent deduction section of this letter only if you live in a unit that is NOT excluded from the Chicago Residential Landlord and Tenant Ordinance (RLTO). Exclusions include:

- Owner occupied unit with six unit or less;
- Hotels, motels, inns, bed and breakfast establishments, unless the tenant pays monthly and has lived there for over 32 consecutive days;
- Hospital, convent, shelters, student housing;
- Purchaser pursuant to a real estate purchase contract;
- A unit occupied by an employee of a landlord; and
- A dwelling unit in a cooperative occupied by a holder of a proprietary lease.

If your unit is excluded from the RLTO, you cannot use the rent reduction section of the letter and may only use the bed bug portion of the letter. If you live in a unit that is funded by a subsidy you should consult with the subsidy provider before including the rent reduction portion of the letter.

If you are not sure whether you can reduce your rent contact an attorney at the Lawyers' Committee for Better Housing, other legal aid agency, or the Metropolitan Tenants' Organization.

You should consult with an attorney or an expert on rent reductions before deciding what amount to deduct. It is important to be conservative when deducting money from your rent because you may have to justify this amount before a judge in an eviction court case, and the outcome in any case is uncertain.

Additionally, it is a good idea that if you choose to deduct that you keep the money in an escrow account in the event that a judge orders you to pay the amount because you have deducted too much or cannot justify deduction.

The Bed Bug Ordinance also provides that tenants have an obligation to cooperate with the landlord to eradicate the bed bugs. This means you cannot interfere with any inspections. You must grant access, make necessary preparations, and dispose of any personal property that is untreatable (unless you live in an assisted living or shared housing establishment).

Once the letter is complete, deliver it to your landlord in person or mail it to the proper address.

Keep a dated copy of the letter for your records.

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[DATE]

[LANDLORD NAME]

[LANDLORD ADDRESS]

[LANDLORD CITY, STATE, ZIP]

Re: Tenant at [TENANT ADDRESS AND UNIT NUMBER]

Dear [LANDLORD NAME],

I, [TENANT NAME], am writing this letter to notify you of a known or suspected bed bug infestation at my address [TENANT ADDRESS AND UNIT NUMBER]. I suspect my apartment is infested with bed bugs because I saw bed bugs and/or the residents in my unit have bites, stings, irritations or sores believed to be caused by bed bugs.

According to the Municipal Code of Chicago Section 7-28-830, it is your responsibility, as the landlord, to provide extermination services by a pest management professional within ten days of receipt of this letter, as many times as necessary to totally eliminate the bed bug infestation. You are also to maintain a written record of the pest control services provided by the pest management professional. The Municipal Code requires you to conduct an inspection, and if necessary, the treatment of the two dwelling units on either side of the affected dwelling unit and the two units directly above and below the affected dwelling unit. The failure to inspect and treat the bed bugs may violate the Municipal Code of Chicago, which carries fines of \$300.00 to \$1,000.00 for each offense. Each day that a violation continues constitutes a separate and distinct offense with a separate fine.

Further, pursuant to Section 5-12-110 under the Chicago Residential Landlord and Tenant Ordinance (“RLTO”), this serves as notice of my intention to withhold from the monthly rent an amount which reasonably reflects the reduced value of the premises due to the material noncompliance caused by the bed bugs if you fail to correct the condition within fourteen days after receipt of this notice, I will deduct [AMOUNT] from my rent beginning [DATE]. Also, under the RLTO it is unlawful for you to terminate my tenancy or increase my rents because I complained of defects in my unit.

Sincerely,

[TENANT NAME]

[TENANT ADDRESS AND UNIT]

[TENANT CITY, STATE ZIP]

[OPTIONALLY INCLUDE TENANT PHONE NUMBER AND/OR EMAIL ADDRESS]

Rent deduction section – see instructions