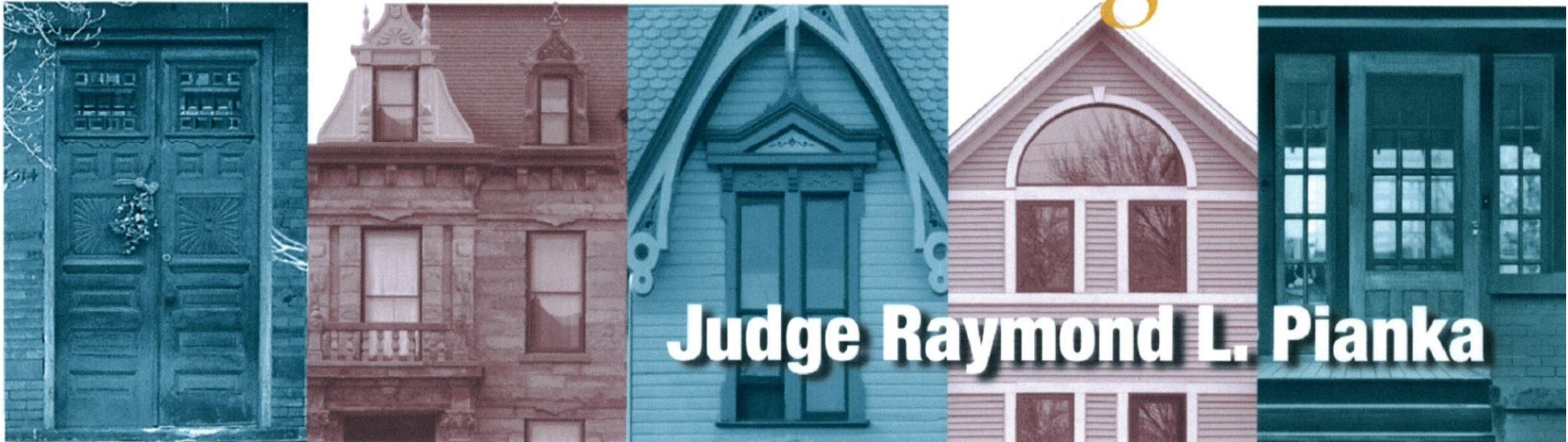


# Cleveland Housing Court



**Judge Raymond L. Pianka**

Magistrate Sandra Lewis



# Municipal Codes: NYC

Specific provisions:

- Dwelling maintained free from insects/pests
- “Insects . . . including . . . bedbugs”
- Landlords must provide a one-year bed bug history to new tenants



# Chicago Ordinance:

T must notify L w/5 days



L must inspect w/10 days

T must cooperate



L must treat



# Cleveland Codified Ordinances

“All dwelling structures and the premises thereof shall be maintained free from sources of breeding, harborage and infestation by insects, vermin or rodents.”

Cleveland Codified Ordinances  
§ 369.17 Infestation by Pests



# Landlord's Responsibilities

- Comply with . . . codes that materially affect health and safety;
- Put and keep premises in a fit and habitable condition; and
- Keep all common areas of the premises in a safe and sanitary condition.



# Tenant's Responsibilities

- Maintain premises in safe and sanitary condition;
- Dispose of rubbish/garbage/waste in a clean, safe and sanitary manner; and
- Comply with state and local housing, health and safety codes.



# Implied Warranty of Habitability

- Present in a residential lease
- Required in addition to statutory obligations
- May not be waived or allocated via contract



# Who Pays???

- Mediation
- Summary Judgment
- Trial





# Fact Finder's Criteria

- Extent and Location
- History of unit
- History of adjacent units
- History of T's previous unit



## Fact Finder's Criteria continued

- Timely report
- Inspections
- Professional treatment
- Lease provisions



# Landlord's Issues

- Admission
- Repayment agreement
- Tenant's failure to mitigate



# Tenant's Issues

- Infestation at move-in
- Admission
- Constructive Eviction

What do I do to protect myself?





# Resources

<http://www.cuyahogabedbugs.org>

[www.ccbh.net/bed-bugs](http://www.ccbh.net/bed-bugs)

[www.nysipm.cornell.edu/whats\\_bugging\\_you/bed\\_bugs/bedbugs\\_faqs.asp#legal](http://www.nysipm.cornell.edu/whats_bugging_you/bed_bugs/bedbugs_faqs.asp#legal)

[www.nyc.gov/html/doh/bedbugs/html/home/home.shtml#](http://www.nyc.gov/html/doh/bedbugs/html/home/home.shtml#)

[www.nyc.gov/html/doh/downloads/pdf/vector/bed-bug-guide.pdf](http://www.nyc.gov/html/doh/downloads/pdf/vector/bed-bug-guide.pdf)

[http://health.utah.gov/epi/diseases/bedbugs/bedbugs\\_landlords.pdf](http://health.utah.gov/epi/diseases/bedbugs/bedbugs_landlords.pdf)