

**UNIT INFESTATION
PROCEDURE 513.20**

10/12/2025
Effective

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Association President

Previous 511.11

PURPOSE OF THIS PROCEDURE

It is the policy of the Tides Condominium Association that emergency plans are developed and maintained to deal with pest infestation of a unit. Elements of this plan will be equitable to all involved parties. A major part of this Procedure requires that the Association maintain a continuing contract with a qualified, reliable and responsive pest control company providing 24/7 service. It is further the policy of the Association that preventive measures are taken wherever practical to prevent infestation and to educate our owners in the measures that need to be taken for each unit.

The infestation of a unit by pests (bedbugs, insects, rodents, etc.) is a serious issue for the Association, one that needs quick and thorough remediation. Failure to deal with an infestation can have serious legal, health, liability and public relation consequences to our owners, renters and to the Association. The procedures listed below provides clear, sound processes that are to be followed by Association management and owners in the event an infestation is discovered to prevent an infestation from spreading to other units.

For this procedure, a "Tides Agent" is defined as a person with some authority at the Tides, namely Office or Maintenance staff or Board member.

SCOPE OF THIS PROCEDURE

This policy applies to all units within the Tides and to all common property and people on the Tides premises.

RESPONSIBILITIES AND AUTHORITIES

The Board of Trustees maintains the responsibility and authority to oversee the general and emergency maintenance of the Tides. The Office Manager has specific responsibilities and authorities as defined below. It shall be the responsibility of the affected unit owner(s) to cooperate with the board in all aspects of remediation and liability; included but not limited to cleanup, investigation and cost of litigation. All Tides personnel and board members must maintain the owner's privacy and not reveal to others which unit(s) were infested.

PROCEDURES

One of the most serious problems facing a condominium is the potential for bed bug infestation. Similar processes can be used for different infestations which can be adapted to the type of pest, type of remediation and the prevailing circumstances. To prepare for a potential infestation, the Association has a preventive and 4 emergency remedial procedures for given situations and detailed below.

Preventive Measures

- Periodically, all owners will be provided information regarding the prevention and recognition of bed bug infestations.
- Renting units will secure all sleeping surfaces (mattresses, box springs, futons, pillows, etc.) with protective covering industry-rated for bed bug protection. Non-renting owners will be encouraged to follow similar precautions.
- Carpeted surfaces within the building common property can be steam-cleaned periodically during the rental season as needed. Other common areas will be inspected during cleaning.
- Valet and luggage carts will be inspected and cleaned as needed. Carpeted surfaces should be avoided when purchasing new carts.

General Emergency/Remedial Measures

The following five actions are applicable to all 4 detection scenarios described below:

- i. In the event that bed bugs are discovered in a unit, occupants shall not visit another unit or take personal items to another unit.
- ii. The Office Manager or other Tides Agent will survey the situation and call and consult with the pest control service as required.
- iii. In the event that the pest control service recommends areas to be evacuated as well as possible adjacent units, owners and occupants will be notified.
- iv. Remediation must be completed in 7 days as dictated in NJA 2072 (2010) "Bed Bug Act"
- v. The Office Manager will keep Board members regularly current on all actions taken.

1. Detection During Annual inspection

The following procedure is to be used in the event of an **infestation discovered during the canine inspection**:

- Contract with a qualified pest control company for annual pest inspections of all units around mid-October
- Office notifies all owners 10 days in advance of the inspection. **Note that owner approval is not required as per Article XI in the Tides By-Laws.**
- The contracted company must use a trained canine
- Owners can be at inspection if desired. However, a Tides Agent must be present to open all units and to observe the inspection.

If an infestation is indicated:

- the inspector MUST perform visual confirmation and provide documentation including photos. Note that bed bugs and carpet beetles share 5 of 7 pheromones and the canines sometimes can be fooled. Carpet beetles are not harmful to humans but should also be treated.
- A board member or Office manager will contact the owner ASAP (preferably within 24 hours) alerting them this is an urgent matter requiring immediate attention for the benefit of the entire association. It is the owner's responsibility to remediate and to notify the Tides of the schedule.
- The owner can decide to have a second inspection at their cost if desired. However, remediation/treatment must be completed in 7 days after notification as the infestation can expand to other units and common areas.
- If there is no response to the Board or Office call (either a call back to discuss or notification of a second inspection or for remediation) in 4 days, the Tides Office will schedule the treatment, inform the owner and will bill the owner. **Note that owner approval is not required.**

2. Detection During a Rental

The following procedure is to be used in the event of an **infestation discovered just before, during or just after a rental**:

- a) The renter or cleaning company must inform a Tides Agent (typically the Office) of the discovery of an infestation immediately.
- b) The Office Manager will survey the situation and call the pest control service. Further entry will be controlled as necessary by the Office Manager
- c) Once the pest control service evaluates the situation and makes recommendations for treatment, the Office Manager will **determine the necessity to vacate the unit** during treatment and for a period after as mandated by the pest control company.
 - If evacuation of the unit is determined, the Office Manager is authorized to incur the costs needed to immediately treat the affected unit. These costs will be billed to the owner. **Owner approval is not needed** but the Office Manager will notify the owners of the situation as soon as possible.
 - i. The occupants will be asked to vacate the unit ASAP and take all personal items with them.
 - ii. Vacating occupants will remove all personal items via the shortest route and will not enter any other unit. No personal items are to be left anywhere within the building. A Tides Agent will supervise the vacating process.
 - iii. The unit will then be sealed to all but the pest control service and Tides staff.
 - iv. If a common area is potentially affected, any carpet or carpeted surfaces will be promptly steam cleaned.
 - If evacuation is not recommended by the pest control service, the Office staff will contact the unit owner for further instructions. If the owner does not respond in 4 days, the Tides Office is authorized to incur costs to initiate treatment immediately and will schedule the treatment and will bill the owner. **Note that owner approval is not required.** Remediation must be completed in 7 days.
 - The Office Manager will make other determinations as the situation warrants.

- d) Renters required to vacate due to a bed bug infestation will not be moved to another unit. They will receive a pro-rated refund of the total lease amount less the number of nights occupied. The Office will advise the unit owner of the refund amount.
- e) Depending upon the period of treatment necessary to complete rehabilitation of the unit, future leases may have to be cancelled or accommodated in reasonably appropriate units if possible. Should no units be available for accommodation, the renters will be issued a prompt refund. All costs will be borne by the unit owner.
- f) If the infestation is discovered before a unit is occupied (e.g. before new renters arrive), the unit will be closed to entry and the above procedures will be followed (excluding those related to unit evacuation.) The Office Manager will make reasonable attempts to relocate the incoming renters to another unit provided the incoming renters have not entered the infested unit. If no appropriate unit is available, the Office Manager will advise the owner to refund of the full amount of the lease less the surcharge fee for rental cancellation (refer to Procedure 611). All costs will be borne by the unit owner.

3. Detection By Owner

The following procedure is to be used when an owner ***discovered infestation in a non-rental unit or rental unit outside of the renting period:***

- Owners are responsible to immediately inform a Tides Agent of the discovery of an infestation.
- Owners should vacate as soon as practical and not leave any property in common areas or other units.
- A Tides Agent will alert them this is an urgent matter requiring immediate attention for the benefit of the entire association. It is the owner's responsibility to remediate and to notify the Tides of the schedule.
- The owner can decide to have a second inspection at their cost if desired. However, remediation/treatment must be completed in 7 days after notification as the infestation can expand to other units and common areas.
- If the owner does not provide a schedule for treatment within 4 days, the Tides will schedule immediate treatment with our pest control company, inform the owner and bill the owner. ***Note that owner approval is not required.***

4. Common Areas

If there is an infestation of a common area, the Office will inform all owners, or just specific owners which are affected or if it adjoins their unit. The Tides will manage appropriate remediation using procedures 2b – 2f (see Detection During a Rental) which can be modified depending if adjoining units are rentals and/or the type treatment and duration of limited access. The Tides is responsible for the expense unless there is evidence the infestation was caused by a specific owner or their renter's negligence who would then bear all costs.

OWNERS RIGHTS AND RESPONSIBILITIES UNDER THIS PROCEDURE

Each owner is entitled to the following:

- To receive a copy of this policy
- To be promptly notified of any detection of an infestation
- To privacy regarding the results of the inspection

Owners are responsible to inform the Office of bedbugs or other infestation immediately

RELATED PROCEDURES

611 Rental Surcharge Fee for Rental Cancellation Procedure

RELATED DOCUMENTS

NJA 2072 2010 "Bed Bug Act"

N.J.A.C. 5:10-10.2 Elimination of Infestation

NJSA §55:13A "Hotel and Multiple Dwelling Law."

NJ Bedbug Fact Sheet website: <https://capemaycountynj.gov/DocumentCenter/View/265/New-Jersey-Department-of-Health-and-Senior-Services-Bed-Bug-Fact-Sheet-PDF>