

PEST INFESTATION

1. Definitions

- a. “Pests” are insects, moths, rodents, or other creatures which have a harmful effect on humans, their food, or their living conditions. Pests include, but are not limited to, creatures such as mice, bed bugs, pantry moths, silverfish, fleas, cockroaches, or carpet beetles that:
 - i. Damage stored food. For example, rats and mice may eat food in homes and contaminate this food with their feces (droppings) and urine
 - ii. Damage clothing. Silverfish, or moths for example, eat holes in clothes
 - iii. Bite people. For example, bed bugs which can cause irritation or infection from their bite; or,
 - iv. Carry disease. For example, cockroaches carry bacteria that can cause salmonella, strep throat, and other illnesses.
- b. “Infestation” means evidence of more than one pest or more than one type of pest.

2. Notice to Management Office

If a Unit Owner detects a pest infestation, the Unit Owner must notify the Management Office immediately in writing to avoid being considered negligent, unless the occurrence of this pest has already been reported to the Management Office by this Owner within the previous three months.

3. Duty of Unit Owner

- a. If a pest infestation exists in a unit, Unit Owners must promptly do all of the following to avoid being held negligent:
 - i. Take steps immediately to control a pest infestation within the Unit.
 - ii. Within three days of noticing the infestation, the Unit Owner must contract with a licensed pest control agent experienced and knowledgeable about pest infestations to eliminate this infestation.
 - iii. Bear the costs for pest control in the Unit unless Management has determined that the infestation had originated in another Unit.
 - iv. Retain documentation from the contractor used of the steps taken to control the pest infestation, including copies of the contract, the invoice, and the report confirming successful infestation elimination.
- b. In the event that the Unit Owner fails to give notice required in Section 2 or fails to follow the steps set forth in sections 3.a.i and ii, Management may employ a licensed pest control agent to eradicate the pests and assess the Unit Owner the

costs of eradication in the Unit Owner's Unit and, if applicable, other Units that became affected by the pest infestation in the Unit that became infested as a result of the Unit Owner's negligence.

4. Duty of Management

- a. Upon receipt of notice of pest infestation, the Management Office will take steps reasonably necessary to ascertain whether there is a likelihood that the pest infestation has spread to other Units or common areas.
- b. If Management determines that there is a likelihood that the pest infestation has spread to other Units or common areas, Management shall
 - i. Notify all Unit Owners who are reasonably likely to be affected by the infestation,
 - ii. Bear the cost for control of pests which have spread to other Units or common areas unless Management has determined that an Owner is responsible for payment under section 3.b.
 - iii. Bear the cost of determining whether the eradication of pests which have spread to other Units or common elements has been successful.