

HOUSE No. 5027

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 2, 2026.

The committee on Housing, to whom was referred the petition (accompanied by bill, House, No. 1568) of Jeffrey Rosario Turco relative to tenant and owner responsibilities for bed bugs, so called, in dwelling units, reports recommending that the accompanying bill (House, No. 5027) ought to pass [Representative Markey of Dartmouth dissents].

For the committee,

RICHARD M. HAGGERTY.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to *Cimex Lectularius*.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (a) For purposes of this section the following words shall have the
2 following meanings, unless the context clearly requires otherwise:

3 “Bed bug” means an insect of the species “*Cimex Lectularius*,” commonly referred to as
4 a bed bug;

5 “Control” means the process required by a professional pesticide applicator to attempt to
6 eliminate or manage an infestation of bed bugs by poisoning, spraying, fumigating, trapping or
7 by any other recognized and lawful pest-elimination method, including repeated applications of
8 any treatment, particularly to areas where bed bugs are likely to congregate, provided that the
9 department of public health may recommend and issue standards on treatment methods as they
10 see fit based on the availability of updated information and science. Control of bed bugs shall be
11 deemed completed if there has been no evidence of bed bug activity for thirty (30) days after the
12 last application of any treatment;

13 “Infestation” means the presence of bed bugs, or signs of their presence, in a quantity
14 large enough that the tenant of a dwelling unit has knowledge or should have knowledge of the
15 presence of bed bugs in the dwelling unit;

16 “Surrounding unit” means a unit or units that share a common wall or are located above
17 or below;

18 “Owner” and “Tenant” shall have the same meaning as defined in 105 CMR 410
19 “Certified Applicator” shall have the meaning provided in chapter 132B;

20 (b) This act shall not apply to dwellings containing one dwelling unit.

21 SECTION 2. (a) Notwithstanding any general or special law to the contrary, any tenant
22 that asserts that an infestation of bed bugs is present in the tenant’s dwelling unit shall: (1)
23 immediately provide notice to the owner in writing after becoming aware of the presence of bed
24 bugs; (2) allow the owner, as well as its agents, inspectors, certified applicators, and contractors,
25 to enter the dwelling unit to perform inspections repairs, exterminations, and applications, upon
26 not less than 24 hour notice; (3) within a reasonable period of time after receipt of notice from
27 the certified applicator, comply with any and all protocols and instructions afforded to tenant by
28 the certified applicator, including without limitation, encasing and sealing personal property in
29 plastic bags, laundering personal property, removing personal property which may be to be
30 infested with bed bugs; and removing unreasonable amounts of personal property which are
31 deemed to be interfering with the proper treatment of the bed bugs by the certified applicator. No
32 tenant shall interfere with the certified applicator’s performance of any extermination or
33 inspection.

34 (b) Any tenant that fails to provide access to the dwelling unit, interferes with any
35 inspection or extermination, or fails to comply with the protocols and/or instructions of the
36 certified applicator, shall be responsible for any actual and consequential damages incurred by
37 the owner as a result of such denials. In addition, an owner shall be entitled to the issuance of
38 injunctive relief against any such tenant, including an order prohibiting a tenant from occupying
39 a dwelling unit during the period that the certified applicator is performing any required
40 exterminations.

41 SECTION 3. Notwithstanding any special or general law to the contrary, at such time as
42 an owner shall have actual or constructive knowledge of the infestation of bed bugs in a dwelling
43 unit, the owner shall be required to maintain the dwelling unit free of an infestation of bed bugs.

44 Within 5 business days of receiving a notice from any tenant of an infestation of bed
45 bugs, the owner shall perform a visual inspection of the dwelling unit. In the event the owner
46 observes the infestation of bed bugs in the dwelling unit, the owner shall commence the
47 extermination protocol and notify the tenants of any surrounding units. In the event the owner is
48 issued a citation by any state, city, or town inspector indicating the existence of bed bugs, the
49 owner shall commence the extermination protocol.

50 In the event that an infestation is present in a dwelling unit within a building with a
51 manager or organization of unit owners as defined by section 1 of chapter 183A of the General
52 Laws, the owner of the infested unit shall immediately provide notice to the manager or
53 organization of unit owners, who shall then provide notice in writing to the surrounding units.
54 An owner shall be deemed to have constructive knowledge of an infestation of bed bugs in the
55 event the owner is aware of an infestation of bed bugs in any surrounding unit.

56 SECTION 4. Notwithstanding any general or special law to the contrary, within 10
57 business days of actual or constructive knowledge of an infestation of bed bugs, the owner shall
58 retain the services of a certified applicator to inspect the dwelling unit to confirm the presence of
59 an infestation of bed bugs. In the event the certified applicator fails to observe an infestation of
60 bed bugs, the owner shall have no further obligation to perform further inspections for bed bugs
61 in the dwelling unit unless the tenant provides the owner with a written report from a certified
62 applicator identifying the existing of an infestation of bed bugs in the dwelling unit.

63 In the event a certified applicator identifies an infestation of bed bugs in a dwelling unit,
64 the owner shall perform such treatments and extermination services as may be required by the
65 certified applicator. The owner shall then perform such further treatments and exterminator
66 services as may be required by the certified applicator until such time as the control of the bed
67 bugs shall be deemed to be completed.

68 SECTION 5. Notwithstanding any general or special law to the contrary, no owner shall
69 be liable for any actual or consequential damages caused by an infestation of bed bugs unless the
70 owner fails to comply with the requirements of this act. Nothing herein shall prevent the owner
71 and tenant from entering into an agreement assigning other duties and obligations in relation to
72 the costs and duties pertaining to bed bug controls.

73 SECTION 6. Notwithstanding any general or special law to the contrary, the department
74 of public health shall prepare an information sheet that describes bed bugs and explains how bed
75 bug infestations spread. The information sheet may contain additional information the
76 department deems necessary and shall be updated by the department as new information
77 concerning bed bugs becomes available.

(a) Notwithstanding the above, the information sheet shall contain the following

79 information: (1) specific facts about bed bugs, including its appearance, breeding and feeding
80 habit;

(2) tenant behaviors that are risk factors for attracting and supporting the presence of bed bugs, such as, but not limited to, purchasing renovated mattresses, used furniture or pre-owned clothing, and travel to tropical climates without proper precautions;

84 (3) measures that may be taken to prevent and control bed bugs in a residential setting
85 including professional pest control exterminating, cleaning the dwelling space and mattresses,
86 and laundering bedclothes and clothing;

87 (4) in conspicuous form, a statement describing the legal rights and obligations imposed
88 on tenants and owners per this act.

89 (b) The department shall make the information sheet available online to owners, tenants,
90 and members of the general public, in a form suitable for downloading and printing by owners
91 for their use in tenant bed bug education.

92 (c) The department shall make the information sheet available in both English and
93 Spanish languages.

94 (d) The information sheet shall serve as an informational document only, and nothing
95 therein shall be construed as binding on or affecting judicial determination related to this act. The
96 information sheet shall not be deemed to be medical advice.

97 (e) Any owner entering into a lease agreement with a tenant shall provide a copy of the
98 information sheet at the time of the lease signing.