



Keeping a Pest Free Home: Chicago Tenant's Rights and Responsibilities

You have the right to a pest free home! Both you and your landlord must work together to solve pest problems. Cockroaches, ants, mice, or anything living in your space that doesn't belong is a pest. Knowing your rights and responsibilities for pest control in your home can help with solving a pest problem now or preventing problems in the future.

Rights and Responsibilities

TENANT PEST CONTROL RESPONSIBILITIES

- Keep living spaces clean, store food properly (ideally in sealed containers), and remove garbage and clutter.
- Report pest problems, water leaks, and cracks or opening, especially around doors and windows.
- Allow your landlord into your home for maintenance and treatment after receiving the required two days' notice.
- Document sightings of insects or rodents as well as any prevention or treatment actions done. Include specific information such as dates and times of activities.

Integrated Pest Management

Integrated Pest Management (IPM) is recommended for pest control. Proven the safest and most effective method of pest control, IPM aims to eliminate the root cause of a pest problem – food, water, and shelter. Both you and your landlord play a role in IPM. Visit ElevateNP.org/Pest-Management for more information.

LANDLORD PEST CONTROL RESPONSIBILITIES

- Repair doors, windows, cracks, crevices, and other areas where pests can get in.
- Manage garbage disposal by providing and maintaining dumpsters and contracts for garbage pick-up.
- Provide pest control actions when needed, including giving two days' notice before entering and/or treating homes for pests.
- Landlords are recommended to document any pest control activities, including repair and control activities.

Tenant and Landlord Responsibilities under the Law

The Chicago Residential Landlord and Tenant Ordinance (RLTO) and Chicago Building Code (CBC) establish the legal rights of tenants and landlords. Not all rental units are covered by the RLTO. Find out more details by going to www.cityofchicago.org and search for RLTO. The RLTO and CBC state that:

- Landlords must maintain their buildings and promptly make needed repairs.
- Tenants must permit reasonable access to a landlord upon receiving two days' notice or, in case of emergency, the landlord must provide notice no more than two days after entry that the entry occurred.
- Landlords are prohibited from taking retaliatory action against a tenant for complaints or testimony provided in good faith to governmental agencies or officials, media, community groups, tenant unions, or the landlord.

- The CBC requires landlords to provide for the extermination of pests if:
 - A pest exists because the landlord failed to maintain the building in a way to prevent pests from gaining entry; or
 - A pest is in two or more units or a building common area; or
 - Bed bugs are found in a single unit.

Approaching a Landlord About a Pest Problem

Report a pest problem to your landlord quickly, but be sure to prepare first. The more information you have, the more likely your landlord will be to cooperate and respond when you report the pest problem.

- Describe as best you can what, when, where, and how many rodents or insects you saw.
- Consider talking to your neighbors and reporting any similar pest problems.
- Keep good records of pest sightings and neighbors' pest problems – note date and time.
- Tell the landlord that you are willing to help control the problem, but the landlord has the legal responsibility to eliminate pests as per Chicago RLTO and CBC.
- Send a letter or written complaint by certified mail to your landlord, and clearly state your concern. Keep a copy for your records.

Landlord Responses and Next Steps

Landlords will react to pest reporting in differing ways.

COOPERATIVE LANDLORD: Cooperate with the landlord if possible. Create a plan together to get rid of the pest problem in the safest and most permanent way possible. Continue to write down the pests you see and other proof as well as any pest control activities done by your landlord, a pest control company, or you.

UNCOOPERATIVE LANDLORD: If a landlord will not cooperate, here are some steps you can take:

Get organized: If the landlord won't help or gets angry, tell other tenants in your building about what's happening. Ask others to call the landlord to report their problems. **Or** create a letter that lists the pest issues in the building and have other tenants sign it.

File a complaint with the City: Call 311 and report the problem. Ask for an inspector to provide an inspection of the building. Document the problem by collecting samples and taking pictures to show the inspector – inspectors can't report what they can't see or find.

Call a local elected official: In Chicago, this means calling your alderman, and can be a very effective tool.

Withhold rent or end lease: STRICT RULES APPLY! Consider this option only if your landlord fails or refuses to solve the pest problem making the unit unfit to live in. It is recommended that you get legal help. The Metropolitan Tenants Organization is a good first stop (see the *Resources for Tenants* box).

Take legal action: Choose as a last resort. You must consult a lawyer. Legal action is expensive, time consuming, and there is no guarantee you'll win. Conflict resolution may be a preferred option before taking legal action. See the *Resources of Tenants* box for organizations that can help.

Resources for Tenants

Metropolitan Tenants Organization

(773) 292-4988, tenants-rights.org

Legal Aid Chicago

(312) 341-1070, legalaidchicago.org

Uptown People's Law Center

(773) 769-1411, uplcchicago.org

Center for Conflict Resolution

(312) 922-6464, ccrchicago.org