

January 8, 2016

TO: State Directors
Rural Development

ATTN: Program Directors
Multi-Family Housing

FROM: Tony Hernandez /s/ ***Tony Hernandez***
Administrator
Rural Housing and Community Facilities Programs

SUBJECT: Integrating a Pest Management Control Plan

The purpose of this Unnumbered Letter (UL) is to reissue guidance to Borrowers, Management Agents, and residents of Rural Development multi-family properties and reaffirm the importance of prevention, identification, and treatment of infestations to include but not limited to bed bugs, insects, and all manner of vermin. This replaces the UL last issued on June 5, 2013.

The goal of the U.S. Department of Agriculture (USDA), Rural Development's Multi-Family Housing (MFH) programs is to provide adequate, affordable, decent, safe, and sanitary rental units for very low-, low, and moderate-income households in rural areas. Pursuant to 7 CFR 3560.103, the housing project must have all units free of visible signs of insects or rodents and must be free of signs of insect or rodent damage. This includes providing guidance aimed at preventing and addressing infestations. Of particular concern is the growing problem of bed bugs.

The Environmental Protection Agency (EPA), the Centers for Disease Control and Prevention, and USDA all consider bed bugs a public health pest. Although these insects are not known to transmit disease, bites may itch and cause an allergic reaction in some people, which may lead to secondary infections. The presence of bed bugs can also cause stress or anxiety. It is suspected that the resurgence is associated with greater international and domestic travel, lack of knowledge regarding the complex measures needed to prevent and control bed bugs, changes in pesticide availability and technology, and increased resistance of bed bugs to available

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pesticides. Bed bugs are not an indicator of poor sanitation, but excess clutter can provide them more places to hide, making early detection and targeted control difficult.

The ideal approach to bed bug infestations is to prevent them from occurring in the first place. Therefore, the guidance provided herein is to encourage MFH project borrowers and managers to develop an Integrated Pest Management (IPM) plan to focus on preventing infestations. Such plans describe the ongoing efforts the property management will take to prevent and respond to pest infestations. For more detail on IPMs in general, please see the Department of Housing and Urban Development (HUD) guide, online at <http://www.stoppests.org>.

In addition to or as part of an IPM program, borrowers and property managers are strongly encouraged to take the following steps to prevent bed bugs:

- Provide training for staff to identify bed bugs, and to perform ongoing prevention actions as outlined in the IPM. When a community is at high risk for bed bugs (for example, if the community has experienced prior infestations), periodic building inspections are recommended.
- Actively engage residents in efforts to prevent bed bugs. Education and involvement of project residents is a critical component of IPM for bed bugs. Bed bugs may often go undetected and unreported, because they are active at night, and tenants may not be aware of their presence. Borrowers and property managers may wish to hold workshops for tenants to teach them to identify bed bugs, to create unfriendly environments for pests, and to report suspicions of bed bugs as soon as possible.
- Provide orientation for new tenants and staff, and post signs and handouts.

Addressing Infestations and Utilization of Project Resources

Property management should respond with urgency to tenant reports of infestations, and should endeavor to take appropriate action within a reasonable time period. However, tenants are advised that pest inspections and, if necessary, treatment, may take time to schedule, particularly for recently resurgent pests such as bed bugs, for which it may be difficult to find trained specialists to perform inspections and conduct treatments.

Project operating funds may be used to pay for activities to prevent and/or treat infestations. When other sources of funds are not available or sufficient, the Servicing Office may honor requests to utilize project reserve funds for infestation treatment. Use of reserve funds will adhere to 7 CFR 3560.306 (g) and HB-2-3560, Chapter 4, Section 3. Borrowers are advised that project funds cannot be used to reimburse residents for the cost of any additional expense to the household, such as purchase of new furniture, clothing or cleaning services. In addition, property management's requests for tenants to pay the costs of infestation treatment must be in accordance with the provision for tenant payment of damages or noncompliance as required in the property lease.

Residents should fully cooperate with property management's efforts to identify and address infestations. This tenant cooperation is shown to expedite the control of infestations. Cooperation includes allowing management to enter the unit to perform inspections and treatments, allowing pest treatments to occur, following the pest treatment protocol, and removing infested furniture or other items from common areas such as hallways or community rooms. Information contained within this UL does not supersede existing lease provisions that comply with State and/or local landlord/tenant laws and that have been approved by the Agency. All parties should refer to the property lease executed between the tenant and the owner's representative and the property House Rules, for details on owner and resident rights and responsibilities related to infestations and housing physical condition standards.

Residents are advised that some infestations, including bed bugs, require multiple treatments over the course of several weeks. Generally, relocation from units is not necessary for effective pest treatment. However, if reasonable, temporary relocation is necessary, borrowers may utilize project funds and/or request withdrawals from project reserve funds for those periods when treatment is actively occurring that may render the unit uninhabitable.

Any temporary relocation must be carried out in accordance with applicable civil rights laws, including, but not limited to, Title VI of the Civil Right Act of 1964 and Section 504 of the Rehabilitation Act of 1973. For example, when persons with disabilities are temporarily relocated, they must be placed in housing that provides, at a minimum, the same accessibility features as the housing in which they currently reside. Additionally, property management must ensure the right of return for tenants who have had to be temporarily relocated while the treatment is being performed.

Recurring Infestations

Some properties face recurring infestations. Borrowers and management may take initiative to offer protective tools to residents to help safeguard properties from recurrences. Where there is an approved lease provision that complies with State and/or local landlord/tenant law, property management may require appropriate treatment of furniture upon tenant move-in, or when a tenant moves furniture into the apartment.

All borrowers may pursue remedies provided in the lease agreement and in accordance with State and local rental law. Borrowers must follow additional guidelines including occupancy requirements, and must adhere to all Agency and State and local landlord/tenant laws before taking action to deny tenancy or remove residents for causes related to infestations. Agency lease requirements include tenant's responsibilities for maintenance and obligations if tenant fails to fulfill these responsibilities.

Responding to Inspection Findings

Infestations should be addressed when reported by staff, tenants, or when found during an Agency site inspection. If evidence of infestation is found during a scheduled annual or triennial inspection, servicing staff is to indicate the presence of infestation as a "FINDING" on FRM2000, MFH Physical Inspection Report. Servicing staff are to ask property owner/

management to identify any units and/or buildings that are infested before the inspection begins. If bed bugs are reported, staff will record the units and/or buildings affected in the comment section of the MFH Physical Inspection report.

If bed bugs are identified during an inspection, field staff will contact the owner/management within 10 days to discuss the requirements and possible actions to eradicate this identified health and safety issue. The borrower will then inform the Servicing Office of the response, and eradication of the infestation. Borrowers must also ensure that MFIS is updated with related findings and corrective actions.

The following resources provide additional information on the prevention of infestations, as well as, examples for implementation of an IPM plan, and raising awareness for both residents and site staff:

- **National Pest Management Association Best Practices Website:** <http://www.bedbugbmps.org>.
- **Environmental Protection Agency:** <http://www2.epa.gov/bedbugs>.

National Pest Management Association Bed Bug Hub: <http://pestworld.org/pest-world-blog/the-bed-bug-hub-one-stop-shop-for-bed-bug-information>.

If you have any questions or comments, please contact Joanna Rogers, Finance Loan Analyst, at (202)720-1609, or via e-mail at joanna.rogers2@wdc.usda.gov.