



MIDWEST PESTICIDE
ACTION CENTER

CHICAGO TENANTS' RIGHTS AND RESPONSIBILITIES: KEEPING A PEST FREE HOME

A FACTSHEET FROM MIDWEST PESTICIDE ACTION CENTER

You have the right to a pest free home and 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 considered a pest. Your landlord may be unaware of the problem, has failed at attempts to get rid of the pests, or has refused to work with you to fix it. Knowing your rights and responsibilities can help with solving or preventing a problem.

RIGHTS AND RESPONSIBILITIES

Tenants and Landlords both play important roles in maintaining pest-free homes for tenants.

Tenant Pest Control Responsibilities

- Keep living spaces clean, store food properly (ideally in sealed containers), and remove trash and clutter
- Report pest problems, water leaks, and cracks or openings, especially around doors and windows.
- Allow your landlord into your apartment 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 like dates and times.

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 contracting for garbage pick-up.
- Provide pest control actions when needed, including giving two days notice before entering and/or treating your apartment for pests.
- It is recommended that landlords document any pest control activities, including repairs and treatments.

Tenants' and Landlords' Responsibilities under the Law

In Chicago, the Residential Landlord Tenant Ordinance (RLTO)* and Chicago building code establish the legal rights and responsibilities of tenants and landlords.

● **The RLTO states that:**

1. Landlords must maintain their buildings and promptly make needed repairs;
2. Tenants must permit reasonable access to a landlord upon receiving 2 days notice or, in case of emergency, the landlord must provide notice 2 days after entry;
3. Landlords are prohibited from taking retaliatory action against a tenant if a tenant complains or testifies in good faith to governmental agencies or officials, media, community groups, tenant unions, or the landlord;
4. Remedies are available to tenants if the landlord fails to maintain the property in compliance with building codes.

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 - the reasons pests are attracted to your home in the first place. Both you and your landlord play a role in IPM. Visit www.spcpweb.org for resources on Integrated Pest Management and best practices for getting rid of pests.

● **Chicago Building Code** states that Landlords are responsible for exterminating pests if:

1. The pests exist because the landlord failed to maintain the building in a way that prevents rodents from entering or reasonably keep out insects,
2. Or, if the infestation is in two or more apartments or a building common area.

* Note: Not all units are covered by the Residential Landlord and Tenant Ordinance. To read the ordinance, go to www.cityofchicago.org and search RLTO.



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CHICAGO TENANTS' RIGHTS AND RESPONSIBILITIES: KEEPING A PEST FREE HOME (cont.)

APPROACHING YOUR LANDLORD ABOUT A PEST PROBLEM

Report a pest problem quickly but prepare first. The more information you have, the more likely your landlord will be to cooperate and respond when you report a 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 to your landlord.
- Keep good records of pest sightings and neighbors' pest problems – note date and time.
- Acknowledge that you are willing to help control the problem but the landlord has the legal responsibility to eliminate pests in the building and your home.
- Send a letter or written complaint by certified mail to your landlord, even if a telephone call was made that clearly states your concerns and request that IPM is used. Keep a copy for your records.

LANDLORD RESPONSE: NEXT STEPS

Landlords will often react to reports of pests in different ways.

Cooperative Landlord

Cooperate with your landlord if possible. Create a plan together to get rid of the pest problem in the safest and most effective way. Provide SPCP fact sheets on Integrated Pest Management or a list of local companies that use IPM. 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 yourself.

Uncooperative Landlord

If your landlord will not cooperate, here's what you can do:

- **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.

RESOURCES FOR TENANTS

For tenants rights information:

- Metropolitan Tenants Organization (773) 292-4988/www.tenants-rights.org

For legal advice:

- Legal Assistance Foundation of Chicago (312) 341-1070/www.lafchicago.org
- Uptown People's Law Center (773) 796-1411

To contact your Alderman:

- If you do not know who your alderman is go to www.cityofchicago.org and search for the Ward and Alderman list.

For conflict resolution:

- Center for Conflict Resolution at (312) 922-6464/www.ccrchicago.org

- **Withhold rent or end a lease.** STRICT RULES APPLY! Consider these options 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 help from the Metropolitan Tenants Organization or an attorney.

- **File a complaint.** Report a pest problem by calling 311. Ask for a reference number in order to follow up on the complaint. Ask for an inspector to come to the building. Continue to keep track of the problem. Use sticky traps to collect samples so the inspector can 'see' the problem better – inspectors can't report what they don't find. Your

landlord can't evict you for filing a valid complaint. In fact, any retaliation or revenge is illegal.

- **Call your local elected official.** This is one of the best actions you can take. In Chicago, that means calling your Alderman's office.
- **Take legal action.** Choose only 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 for Tenants" box for organizations that can help.

This factsheet is for informational purposes only. Please note that Midwest Pesticide Action Center does not dispense legal advice. This fact sheet lists existing rights and laws applying to Chicago tenants. For legal advice, please consult a lawyer or the legal services referenced above.

Midwest Pesticide Action Center is dedicated to reducing the health risks and environmental impacts of pesticides and promoting safer alternatives.

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