Pest infestations

Author

Northwest Justice Project

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Learn what Washington State law says about landlords' and tenants' duties to prevent and control pest infestations and what options renters have if their rental unit has pests such as rodents or insects.

Pest infestations are a common problem in many rental units in Washington State and can cause serious health problems. Common pests include mice and rats, and insects, such as bedbugs, fleas, and cockroaches.

Washington's Residential Landlord Tenant Act (RLTA) at RCW 59.18.060(4) (https://app.leg.wa.gov/RCW/default.aspx?cite=59.18.060) requires landlords to provide a reasonable program for control of pest infestations at the beginning of a tenancy.

Landlords must also provide a reasonable program to control pests during the tenancy, except when the tenant has caused the infestation and in single-family residences.

Under RCW 59.18.130 (https://app.leg.wa.gov/RCW/default.aspx?cite=59.18.130), tenants are required to keep their rental units clean and sanitary as conditions permit,

and dispose of garbage and waste in a clean and sanitary way to prevent a pest infestation.

You can learn more about how to prevent pest infestations from starting how to control pests (if possible) at these sites:

- Washington's Department of Health: Pests (https://doh.wa.gov/community-and-environment/pests)
- U.S. Environmental Protection Agency: Bed Bugs: Get Them Out and Keep Them Out (https://www.epa.gov/bedbugs)
- Seattle & King County Public Health: Getting rid of rats and mice (https://kingcounty.gov/en/dept/dph/health-safety/environmental-health/getting-rid-of-rats-mice)
- Seattle & King County Public Health: Bed bug fact sheets (https://kingcounty.gov/en/dept/dph/health-safety/environmental-health/bed-bugs)

Who is responsible for fixing a pest infestation?

RCW 59.18.130(2) (https://app.leg.wa.gov/RCW/default.aspx?cite=59.18.130) holds tenants responsible for paying for extermination and fumigation for pest infestations if they cause the infestation.

However, RCW 59.18.060(4) (https://app.leg.wa.gov/RCW/default.aspx?cite=59.18.060) requires landlords to reasonably control pest infestations during the tenancy that are not caused by the tenant (except for in single-family residences).

Often, landlords and tenants disagree on who "caused" a pest infestation, and so they disagree about who has to pay an exterminator for pest removal.

In an apartment building with many rental units, it can be difficult to point to one single cause of an infestation. For example, if there are cockroaches or mice throughout a building and in multiple rental units, the landlord may have to pay to control the infestation.

If the landlord can show that one tenant caused the infestation, they may ask the tenant to pay for an exterminator. For example, if you bring a piece of furniture that is contaminated with bedbugs into your rental unit, the landlord may say that you "caused" the infestation and so are responsible for paying for an exterminator.

If your landlord gives you a bill for an exterminator, you may write a demand letter to your landlord disputing the charge. Your landlord cannot evict you for not paying charges that are not rent. However, your landlord may try to sue you later or charge you damages after you move out. If your landlord gives you an eviction notice, try to get legal help.

Pest infestations in single-family residences

If you are renting a single-family residence, the RLTA does not require your landlord to maintain a reasonable program for control of pest infestations. In this case, you may have to pay for an exterminator to remove or control the pests.

However, the RLTA does require all landlords to reasonably maintain the structure of all rental units, including roofs, floors, walls, chimneys, and foundations of single-family homes. If you think the pest infestation is caused by a structural problem, you can ask for repairs in writing. For example, if there are holes in the roof or foundation of a house and wasps or rats get inside, you can ask the landlord to repair the holes and prevent the infestations.

Pest infestations in apartments and multi-unit buildings

If you are renting a unit in a multi-unit building, like an apartment complex, duplex, or 3-plex, your landlord must maintain a reasonable program to control pest infestations that you do not cause.

If you discover a pest infestation, **ask for repairs in writing** as soon as possible. If you do not report the pests and they cause damage or move to other rental units, your landlord may try to charge you for an exterminator later because you did not report the problem.

If you cannot clean your rental unit or dispose of garbage properly because of health reasons, you may ask for a reasonable disability accommodation. If you need help asking for an accommodation, try to get legal help.

Extreme and unfixable pest infestations

Some pest problems are so severe that pests remain inside walls or other structures even after an exterminator has sprayed or put out traps or poison. Some pest problems cannot be fixed without major structural repairs to the unit or fumigating the whole building.

You may file a complaint or ask for an inspection from your city or county code enforcement agency. Some agencies will only conduct inspection of a rental unit if you report a structural problem that causes a pest problem. It can be difficult to get a city or county inspector to come and inspect for pest problems.

In some cities or counties, the official may issue fines to force the landlord to follow the code and make repairs. If the code violations or conditions are very bad, the official may condemn the rental unit and you may have to move

immediately. Although the landlord may be liable for relocation assistance, you may not get the relocation assistance right away and will have to sue your landlord to get it.

If the pest problem is severe enough and practically impossible to totally fix, or if your landlord refuses to make repairs, you may have to move out of the unit.

If you need to move out before the end of your lease term because of a health issue, you may ask your landlord for a disability accommodation. Try to get legal help if your rental unit is so unhealthy that you need to move out.

WashingtonLawHelp.org gives general information. It is not legal advice.
Find organizations that provide free legal help on our Get legal help page.