

# BEDBUGS, BEDBUGS, WHATCHA GONNA DO

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The following story is fictional and does not represent any particular person or event.

The latest reality show "CIEs!" is now on the Fox network. Here's the pilot episode -

Opening sequence, an ambulance is racing down the dark streets of the downtown city. Its lights are flashing. The title song is playing in the background.

"Bed bugs, bed bugs, whatcha gonna do? Whatcha gonna do when they come for you?"

Bed bugs, bed bugs, whatcha gonna do? Whatcha gonna do when they've bitten you?"

A hospital emergency room. The paramedics wheel in a young boy on a gurney. His family is running along beside him. A man in a gray suit is right behind them. They are taken to a cubicle where they are greeted by the emergency room physician greets them.

MOTHER

Please help my son. Can you help him?

DOCTOR

Yes, ma'am. What is the problem?

FATHER

Look, look at his body.

The doctor walks over and pulls back the sheet. The boy is covered with small welts and blood spots. She gasps.

DOCTOR

Oh, man! Bedbugs! Bedbugs! You let them bite! And he did not sleep tight!

MOTHER

(BEGINS SOBBING) But we're good parents. We make him bathe. We're just visiting the big city.

DOCTOR

Are you staying in a hotel?

FATHER

Yes, the Red Marton Inn. Its a four-star hotel.

The man in the gray suit steps forward and extends his hand.

MAN

Let me introduce myself. Niosh, Dr. D.C. Niosh. I'm with the CDC, the Center for Disease Control. I am the senior entomological investigator.

MOTHER

No, you mean?

DR. NIOSH

Yes, I'm with the Bedbug Cops. *Cimex lectularius*. *Cimex hemipterus*, their south country cousins. They're the scourge of the hotel industry. And cruise ships. And even your own home.

They're the worst sort of gang. They congregate in your hotel room, they hide in the mattress, the carpeting, at the baseboards. Their gang colors are brown and mahogany. And, well, to put it bluntly, they suck.

The boy's mother faints.

Scene 2: The Red Marton Inn in the heart of the big city. Room 222. Dr. Niosh is examining a mattress turned on end. A man in a white coat assists him. The hotel manager and a security guard are watching closely.

DR. NIOSH

Well, Potsdam, what do you think?

DR. POTSDAM

Its *Cimex* all right. Here, look.

The hotel manager and guard bend over to look at the side of the mattress.

DR. POTSDAM

See those brown stains. Its the excrement of *Cimex*, bed bugs.

The guard gags and runs to the bathroom.

HOTEL MANAGER

But, but we vacuum and clean after every guest.

DR. NIOSH

Not enough. Once infested, you will  
need to replace mattresses and  
bedding. Pesticides will be  
necessary. Look here.

Niosh, Potsdam, and the hotel manager bend to look at where  
Niosh points. Under the carpeting at the baseboard. Bed bugs,  
and their nymphs.

DR. NIOSH

They have returned. Modern travel,  
less pesticides. They can be  
anywhere. Anywhere there is a  
comfortable place to live and warm  
human blood. And they spread. On  
people's clothing, in their luggage,  
used mattresses. Washing linens below  
155 degrees Fahrenheit. People then  
bring them home and to their next  
hotel.

DR. NIOSH

Potsdam?

DR. POTSDAM

Yes, Dr. Niosh?

DR. NIOSH

Break out the containment, we're  
taking this mattress in. And its  
going away for good.

Who are the real Bedbug Cops? So far, they've turned out to be hotel guests and their lawyers more so than the entomologists who study the insects.

While indoor environmental concerns have been focused for the past few years on mold and fungal contamination, this focus has often come at the expense of other health issues. Bed bugs have recently garnered attention, in part, due to successful lawsuits against hotel chains and reports of filing of suits against cruise lines as well.

Bed bugs drink the blood of their animal victims in much the same way as a mosquito does. The bed bug inserts an elongated beak through the skin, injects saliva containing an anti-coagulant and drinks the blood during a 3 to 12 minute feast. Unlike mosquitoes, the person generally does not feel the bite, resulting in the potential for multiple bites by many bugs. While it is not currently believed that bed bugs are capable of transmitting disease as do certain species of mosquito, human blood-borne diseases have been found in their bodies. Also, some people may be allergic to the components of their saliva. Many bedbug experts believe that the primary reaction is psychological, the fear and loathing of finding the welts and marks resulting from the bites and the improper impression that bedbugs mean an unhealthy, contaminated environment. In a companion article in this issue of IEC, the life and removal of bed bugs is discussed in greater detail.

Suits have been filed against hotel franchises such as Red Roof Inns and Days Inn. The cases brought against Days Inn are as geographically diverse as Canada and North Carolina. Claims have been filed by individuals, couples, and entire families. While many in the hotel industry believe that bed bugs are a significant source of fraudulent claims, many of the pesticide companies note that bed bug treatment at hotel and motel properties have become an increasing source of business, albeit the number of claims is still relatively small. Even the Wall Street Journal noted that bed bugs have become an increasing source of litigation for hotel chains (see "The Hotel Industry Begins to Wake Up to a Bedbug Problem", The Wall Street Journal, April 21, 2005). The Journal notes that hotels are particularly susceptible due to the rotating occupants in each room, each potentially transporting bedbugs in and out of the property.

These claims have also hit the cruise line industry. Early this year, a claim was brought against Royal Caribbean Cruise Lines by a couple who alleged they were bitten during a recent cruise. Royal Caribbean asserted their proper cleaning protocols and noted that the bedbugs were likely brought on board by a previous guest.

The Royal Caribbean incident illustrates the fact that bedbugs are not a cleanliness issue, but that they do present new maintenance concerns. In the past, bedbugs had almost disappeared from the United States. Increasing international travel and changes in the use of pesticides have brought about a significant increase in the presence of the insects. The widespread use of DDT before the 1970s was a prominent factor in the control of *Cimex*, according to experts. While no one should suggest a return to spreading DDT and Rachel Carson's "Silent Spring", the proper use of pesticides will be necessary to control the critters. Also, maintenance personnel will have to add routine inspections for signs of bedbugs to their growing checklists. Training programs will be key to avoiding the likely increase in litigation.

Is there a genuine basis for bedbug lawsuits? The right to claim injury is not limited to severe injuries or communicable disease. If a hotel or cruise line is shown not to have instituted appropriate procedures for the protection of their guests or has ignored evidence of a potential risk, there may be a basis for either a negligence claim or a breach of the contractual relationship between the innkeeper and the guest. As we've seen with other indoor environmental issues, the increased publicity not only informs potential plaintiffs of their rights and their ability to seek compensation for injury, it creates a minimum level of knowledge that the property owner will be held to. No longer can a hotelier claim that they are unaware that bedbugs present the risk of injury, both physical and psychological, to their guests.

While many in the hotel industry believe that bedbugs present a significant potential for fraud and allege that the issue has been blown out of proportion, a six-figure judgment last year against a national chain makes the issue risky in economic terms. Even if you believe that the issue is "lots of hooey", a lawsuit for several hundred thousand dollars is real enough. The number of hotels in the United States presents both a maintenance challenge as well as a lucrative target for personal injury attorneys. Many pesticide companies will need to enhance training for their field personnel in order to make sure that they spot the signs of a bedbug infestation and can properly treat the condition. Hotel and cruise line expenses will increase by the added vigilance and as a result of the fact that in most cases mattresses and other room furnishings cannot be appropriately treated with pesticides and present cleaning difficulties.

So far, I have not found a case in which an apartment landlord has been sued for claims dealing with bedbugs. Apartments do not present the same level of transient occupancy as do hotels, but as I previously noted, it is very easy for bedbugs to hitchhike on luggage and clothing and be brought back from one renter's vacation. Bedbugs "travel" well from one unit to another and may rapidly infest a building. Given that many residential landlords include pest control as a service included in rent; can claims against these properties be far behind?