

## AAOA Blog

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### Landlord's DIY Pest Control Ends in Tragedy

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A tragic case that has been pending for years was just resolved after a jury awarded nearly \$24 million to two young adults who suffer from permanent injuries caused when their landlord misapplied pesticides to their rental unit.

Just toddlers at the time, the two suffered severe neurological injuries. The eldest is unable to feed or care for herself. A younger brother was spared some of his sister's physical limitations, but still suffers serious brain damage.

After the children both became persistently ill, including suffering multiple seizures, pesticides were suspected as a possible cause. A test of the rental property where the children played revealed residue of a then-legal pest treatment applied in such a sloppy manner that residue was found splashed along the walls and had saturated the carpeting. Even the kid's toys and clothing had residue.

Although the chemical used in this case was later banned, the manufacturer was let off the hook, given the misapplication by the landlord. Also relieved from any liability was a professional pest control company that had earlier applied a different controversial chemical, presumably because that chemical had been applied according to legal standards at the time.

This case serves as a wake-up call for landlords who feel that doing their own pest control will save money. DIY pest control is risky on two fronts: One, effective pest control, including application of chemicals, requires specific training. Applications must be surgically targeted to the type of pests and must be performed by someone with experience on the mechanics and frequency of recommended applications to avoid injuries.

Secondly, by hiring a licensed and experienced pest control company, the landlord may avoid liability by not assuming the duties of a pest control expert.

See our feature, ***The New Bedbug Disclosure Law***. [<http://www.american-apartment-owners-association.org/blog/2010/09/27/the-new-bedbug-disclosure-law/>]

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