

November 25, 2024

**BOARD MEETING RESOLUTION TO ADOPT A PEST MANAGEMENT PLAN AND RULES FOR BED BUG DETECTION AND REMEDIATION**

WHEREAS, the Colony West Condominium Association and Homeowners Association ("Association") are governed by provisions of the Illinois Condominium Property Act ("Act"); and

WHEREAS, the Association's Declaration of Condominium (hereafter "Declaration") provides that the direction and administration of the Property and the affairs of the Association shall be vested in the Board of Directors ("Board"); and

WHEREAS, the Board, in accordance with Section 18.4(h) of the Illinois Condominium Property Act has the authority to adopt and amend rules and regulations covering the details of the operation and use of the Property; and

WHEREAS, in accordance with Section 18.4(h) of the Illinois Condominium Property Act, a meeting of the unit owners was called by the Board for a purpose of discussing the proposed rules and regulations, and notice of the meeting contained the full text of the proposed rules and regulations, and the notice of meeting conformed to the requirements of Section 18(b)(6) of the Illinois Condominium Property Act.

WHEREAS, in recent years, bed bugs have become a serious threat to the health, safety and property of individuals living in close proximity with others. The Association is highly susceptible to bed bug infestations because of the closeness of its units and the shared common elements accessible by all members. This issue is made even more serious due to the fact that bed bugs reproduce and spread at a high rate and are sometimes difficult to detect and always difficult to remediate once an infestation is detected.

WHEREAS, the Board has determined that it is in the best interest of its owners, residents and guests, that a policy be adopted and disseminated to the Association's owners regarding its procedures related to bed bugs; and

NOW THEREFORE, in furtherance of the foregoing, the Board does hereby adopt the following Pest Management Plan and Rules For Bed Bug Detection and Remediation:

## **COLONY WEST CONDOMINIUM ASSOCIATION PEST MANAGEMENT PLAN AND RULES FOR BED BUG DETECTION AND REMEDIATION**

1. The Board of Managers for the Colony West Condominium Association (the "Association") has determined that it is in the best interest of its owners, residents, and guests that a well-established policy be adopted and disseminated to the Association's owners regarding its procedures related to bed bugs.
2. In recent years, bed bugs have become a serious threat to the health, safety, and property of individuals living in close proximity to others. The Association is highly susceptible to bed bug infestations because of the closeness of its units and the shared common elements accessible by all members. This issue is made even more serious due to the fact that bed bugs reproduce and spread at a high rate. They are sometimes difficult to detect and always difficult to remediate once an infestation is detected.
3. The Association shall take an aggressive position regarding preventative measures to ensure that bed bugs do not become a serious issue. If bed bugs are detected, the Association will aggressively work to ensure that the known infestations are remediated so they do not spread. As of the date this policy is adopted by the Board of Directors, the Association shall follow the following procedures related to the detection/remediation of bed bugs.
  - A. **Voluntary Inspections.** The Association shall engage the services of a bed bug detection service. This detection service may include the use of trained bed bug detection dogs as they are the most effective tool in locating bed bugs that may be too small to see by human inspections. Reasonable accommodations may be made by the Board of Directors under certain circumstances. The Association shall from time to time conduct voluntary inspections. The Association shall advise members well in advance of any voluntary inspection. Units WILL NOT be entered without the permission of the owner for voluntary inspections. The cost of voluntary inspections shall be the responsibility of the Association.
  - B. **Owner/Tenant Responsibility.** Each owner and tenant of a unit in the Association shall immediately notify, in writing, the manager of any known or reasonably suspected bedbug infestation in the presence of the unit, clothing, furniture or other personal property located in the building. The failure to comply with this provision shall constitute a violation of the rules and regulations of the Association with the owner being subject to a fine. In the event bedbugs are discovered and/or reasonably suspected to be present, the owner/tenant shall cooperate with the Association in the control, treatment and eradication of the bedbug infestation found or suspected in the unit. As part of that cooperation, the owner/tenant shall: (1) not interfere with inspections or treatments; (2) after reasonable notice in writing to the owner/tenant, grant access at reasonable times to the unit for purposes of bedbug infestation, inspection or treatment; (3) make any necessary preparations, such as cleaning, dusting or vacuuming, prior to treatment in accordance with any pest management professional's recommendation; and (4) dispose of any personal property that a pest management professional has determined cannot be

treated or cleaned before the treatment of the unit. (5) prior to removing any personal property from the unit, safely enclosed in a plastic bag any such personal property while it is being moved through any common element/area of the building, or stored at any other location. The personal property shall remain enclosed in the plastic bag until such times that the property is either properly disposed of or treated in no evidence of bedbug infestation can be found and verified.

Prior to the mandatory inspection or treatment for bedbug infestation, Management shall send a written notice to the owner/tenant of the unit to be inspected or treated which advises the owner/tenant of the respective responsibilities under this plan and sets forth the specific preparations required by the owner/tenant.

C. Mandatory Inspections. Upon the detection of a bed bug infestation, certain units shall be subject to mandatory inspection, and if necessary, treatment by a bed bug remediation service. Those units will be those directly next to the infested unit, and above and below it (in typically a "shamrock" pattern), as recommended by the association's bed bug remediation service. The inspection and treatment shall be continued until no further infestation is detected. This is because bed bugs have the ability to move easily between units that share a wall or floor/ceiling. Mandatory inspections are vital in the effort to completely remediate a bed bug infestation. The Association shall advise members well in advance of any mandatory inspection. Units WILL be entered with or without permission of the owner for mandatory inspections, pursuant to the Association's authority under Section 18.4(j) of the Condominium Property Act. If access is denied after notice by the Association, the Association shall proceed with legal action to gain access and seek recovery of any and all costs/fees associated with gaining the owner's cooperation. In the event the owner/tenant initially brings the existence of bedbugs to the attention of the Manager, and cooperates with subsequent inspections and treatment, or in the event the presence of the bedbugs is discovered via the voluntary inspection procedure, the cost of mandatory inspections shall be the responsibility of the Association. In the event the existence of bedbugs is not reported by the owner/tenant, and the owner/tenant has refused to permit the voluntary inspection of the unit by the Association, in the event bedbugs are discovered in the unit, the initial inspection, the resulting treatment and further inspections/treatment for that building is the responsibility of the aforesaid owner.

D. Treatment. The Association shall engage the services of a bed bug remediation service for use by all members with known bed bug infestations. By the Association engaging one service, it can ensure that the cost is controlled and quality of service maintained as opposed to each member obtaining separate services. This will ensure that the infestation does not get worse or spread to other units. The cost of treatment is the responsibility of the individual unit owner except as specified above. Units with a known infestation, or units that must be treated in connection with a known infestation, MUST follow the instructions of the remediation service to prepare their unit in advance of the remediation. Failure to properly prepare a unit after notice by the Association, will result in a violation notice, and after a hearing, the imposition of a daily fine for every day of noncompliance in an amount to be determined by the Board. Alternatively, the Association may proceed with legal action to gain access to the unit to conduct the necessary preparation and seek recovery of any and all costs/fees associated with the

preparation and gaining the owner's cooperation.

E. Recordkeeping/Reporting Requirements. Management shall maintain written records of any pest control measures performed by a pest management professional in the building and any report prepared by the pest management professional for detection and treatment of bedbugs. The plan and records shall be (1) maintained either on-site at the Association's management office; (2) maintained for three years; and (3) open to inspection upon request by authorized city personnel, including but not limited to employees of the Departments of Health and Buildings.

Adopted by the Board of Directors of Colony West Condominium Association at a Board meeting held on November 25, 2024 at Champaign, Illinois.

Motion made by Jay and seconded by Kathy.

Vote Taken:

For 3 conds 4 HON

Against X

Abstain X