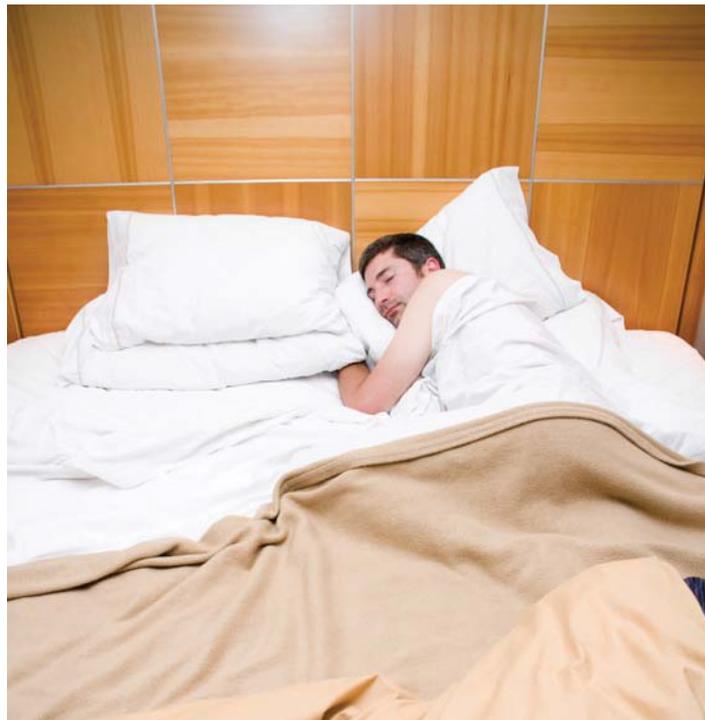


BED BUG INFESTATION

Managing Hospitality Risk



WHAT'S AT RISK?

Recently several hospitality property owners have reported a resurgence in claims caused by hotel guests encountering bed bugs in their guest rooms. In one instance, a former guest is suing a New York hotel for \$20 million after suffering hundreds of bites over four nights. The current upsurge in bed bug infestations has been attributed to a number of issues, primarily revolving around changes in pest management practices and increases in international travel.

Bed bugs are small, nocturnal, parasitic insects that hide easily in cracks and crevices, and feed on human blood. While the bite is typically painless, the area around the bite can become irritated and inflamed, accompanied by severe itching for several days. Although disease agents have been isolated from bed bugs, they have never been proven to be disease carriers.

Any hotel with an infestation may face liability claims from its customers, including claims of associated trauma such as physical scarring, emotional distress, and embarrassment. It is not uncommon for the guest to assert that the bed bugs led to a contamination of their residence upon returning home. In some cases, guests may declare that they have to discard furniture and personal items and have their own property fumigated as a result of contact. Beyond these potentially expensive claims, there is the possibility of ugly publicity and damage to the hotels reputation, leading to further loss of business.

WHAT ARE YOUR LEGAL OBLIGATIONS?

Hoteliers have a legal obligation to ensure that their properties are fit for human habitation—this is known as the “implied warranty of habitability.” If the hotel allows the property to fall into disrepair, or allows pest infestations such as bed bugs to take hold, they are liable to the guest for any harm that results. Damages may be higher if the tenant or guest can prove that the landowner knew about the bed bug infestation, and did not take reasonable steps to address it.

HOW CAN YOU BETTER PROTECT YOUR ORGANIZATION?

For some suggestions designed to assist you in developing sound policies and procedures for yourself and your organization, please turn this document over and review the attached checklist.

For more information about this and other hospitality risk management topics, please contact:

Hemphill Insurance Agency
TheIndependentInsuranceAgency.com Inc.



Call Us Toll Free!
1(800) 361-8734

3833 Windswept / P.O. Box 767
Montgomery, Texas 77356-0767
Tel (936) 582-1140 Fax (936) 448-1013
Email: edhemphill@hemphillinsuranceagency.com
Web Site: <http://www.theindependentinsuranceagency.com>

Checklist: Controlling Exposure to Bed Bugs

- Have an inspection plan in place so staff can identify a bed bug infestation before guests do. The best way to get rid of bed bugs is to clean, disinfect, and eliminate their hiding places.
- Train your employees to inspect rooms upon vacancy and whenever a guest complains about bed bugs. Your staff should look for living or dead bed bugs, small bloodstains from crushed insects, or dark spots from droppings. They might find bed bug remains on the linens, the mattress and its seams, the bed springs, behind the headboard, in the seams of upholstered furniture, or even between floor boards.
 - If a room is infested, all machine-washable bedding, curtains, rugs, towels, and bathrobes should be cleaned separately in the hottest water and dried on the hottest recommended cycle. Dry clean materials if required.
 - Scrub mattress seams with a stiff brush to dislodge bed bugs and their eggs. To remove some bed bugs and eggs, use a heavy duty HEPA vacuum on the mattress, bed frame, furniture, floor, and carpet. Pay special attention to cracks and spaces. Discard the used vacuum bag in a sealed plastic bag before using the vacuum in another room.
- Have a plan in place to address bed bug infestations as soon as they occur, and train staff accordingly. When a guest complains, hotels should:
 - Immediately offer a new room to the guest.
 - Provide a fact sheet about bed bugs.
 - Reassure the guest that bed bugs are not known to spread disease.
 - Offer to launder the guest's clothes.
- Potentially infested clothing and bedding should be washed separately in the hottest water and dried on the hottest cycle that is safe for the materials.
- Bring in a licensed pest control professional for a complete inspection and treatment of the room. Don't use the infested room until a pest control professional certifies it free of bed bugs. Work with your vendor to make sure the following steps are taken when you receive a bed bug complaint:
 - Thoroughly inspect the guest's luggage and clothing, as well as the infested hotel room and the new room to which the guest was moved.
- Repair cracks in plaster and loose wallpaper. Seal cracks around the baseboards of the room completely with caulking material.
- If you develop a problem, you can mitigate your potential liability by taking the appropriate action. As always, effective documentation is a must; keep accurate records of the dates and times of preventive conduct. An effective program includes:
 - Frequent inspections for tell-tale signs of wildlife (droppings, holes in baseboards, odd odors, bed bugs hanging out in crevices or cracks).
 - Hiring a pest control company.
 - Routine professional application of pesticides.
 - Other actions recommended by your exterminator.