September 26, 2013

Linda Irokawa-Otani
Regulations Coordinator
Department of Pesticide Regulation
1001 "I" Street, PO Box 4015
Sacramento, CA 95812

RE: Comment to DPR Regulation No. 13-002, Proposed Regulation to Designate Brodifacoum, Bromadiolone, Difenacoum, and Difethialone as California Restricted Materials

Dear Ms. Irokawa-Otani:

On behalf of the Apartment Association, California Southern Cities and the East Bay Rental Housing Association, we submit this letter to express our concern about the Department of Pesticide Regulation's proposal to restrict the use of second-generation anti-coagulant rodenticides (SGAR).

Apartment owners have a statutory duty to provide habitable dwellings for their tenants. Legally, the duty to provide habitable place includes the duty to control pest infestations, respond to tenant complaints about potential pest problems, and conduct periodic inspections. Pest infestations, including rodent problems, can represent a serious health risk to tenants of a residential rental property. Apartment owners use SGARs to control pest infestations at their properties. SGARs often represent the best and most cost effective method for dealing with unwanted vermin.

The Department of Pesticide Regulation's proposal to remove SGARs from the marketplace and restrict its use to pest control operators will unquestionably affect apartment owners and tenants, especially in smaller residential rental complexes. Owners and managers of smaller apartments often seek cost effective methods to manage their properties, which includes using SGARs to control rodent problems. Under the proposed regulations, however, owners who want to use SGARs will be required to pay new, higher, and recurring fees to pest control operators, or use less effective methods to control potential or current pest problems.

We respectfully request the Department to consider delaying the proposed regulatory change and convene a series of meetings with interested and affected parties. The objective of the meetings would include thorough discussions with the Department and other stakeholders to examine the purpose of the proposed changes, the environmental issues at stake, the financial and economic impact, and to discuss the efficacy of alternative approaches.

Our associations would be willingly meet and work with the Department and other stakeholders on finding a reasonable and practical solution to the problem that is at issue.

Thank you for allowing us this opportunity to provide the Department with comments. Please let us know if there will be a public hearing or meeting about this issue.
Sincerely,

[Signature]

Ronald M. Kingston