

Guide for Review of Lead-Based Paint Compliance in Properties Receiving Project-Based Rental Assistance			
Name of Program Participant:			
Program Participant Staff Consulted:			
Name of HUD Grant Program Reviewed:			
Owner Name and Address of Assisted Project:		Date Funds Awarded:	
Name(s) of HUD Reviewer(s):		Date of Review:	

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, HUD must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding.**"

Instructions: This Exhibit is designed to evaluate compliance with lead hazard requirements in pre-1978 multifamily properties receiving Project-Based Rental Assistance (PBRA). The regulations apply only to the assisted units in covered properties and the common areas servicing those units under the Housing Opportunities for Persons With AIDS (HOPWA) Program, the Supportive Housing Program and the Shelter Plus Care Program project-based rental assistance and sponsor-based rental assistance.

This Exhibit is divided into three sections:

- Section A, Program Review, for reviewing the program's overall compliance;
- Section B, File Review, for reviewing requirements applicable to all projects. These questions focus on the owner's lead hazard control program for the property; and
- Section C, for a summary listing of any identified findings or concerns.

Information on LBP sampling guidance and developing corrective actions is given in Chapter 24, Section 24-6. Copies of monitoring reports addressing lead-based paint, including completed Exhibits, are to be sent to the Office of Healthy Homes and Lead Hazard Compliance, per Section 24-6 of the introduction to this Chapter.

Questions:

A. PROGRAM REVIEW

1.

Does the program ensure that owners consistently and accurately assess units for the applicability of the Lead Safe Housing Rule and document exemptions? [24 CFR 35.115 – Exemptions; 24 CFR 35.700]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion:		

2.

Does the program consistently ensure that owners provide copies of the Lead Hazard Information Pamphlet to occupants of assisted units? [24 CFR 35.710(b)]	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
Describe Basis for Conclusion:		

B. FILE REVIEW (Answer these questions for each project file reviewed.)

Name and Address of Owner and Property that received project-based assistance:

3.

Does the owner's lead program for the property include the following elements necessary to demonstrate compliance with the requirements of the Lead Safe Housing Rule (answer the relevant sections based on the level of project-based assistance provided):		
a. Identify lead hazards (check the box being responded to based on the level of assistance provided): <input type="checkbox"/> - <i>PBRA assistance up to \$5,000 per unit per year average</i> : visual assessment for deteriorated paint; OR <input type="checkbox"/> - <i>PBRA assistance more than \$5,000 per unit per year average</i> : all LBP hazards identified in risk assessment. [24 CFR 35.720(a); 24 CFR 35.715.(a)]	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
b. Documentation of receipt by occupant of the Lead Hazard Information Pamphlet? [24 CFR 35.710(b)]	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
c. (Check the box being responded to based on the PBRA level.) <input type="checkbox"/> - <i>PBRA assistance up to \$5,000 per unit per year average</i> : Procedure for performing paint stabilization of deteriorated paint, with an ongoing LBP maintenance program? OR <input type="checkbox"/> - <i>PBRA assistance over \$5,000 per unit per year average</i> : Procedure for performing lead hazard control, with an ongoing LBP maintenance program? [24 CFR 35.175(a) and (b) and 24 CFR 35.720(a) and (b)]	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
d. Notices to Residents: Notice of Lead Hazard Evaluation (when paint testing or risk assessment is performed) or Lead Hazard Reduction (when interim controls or abatement is performed)? [24 CFR 35.710(a)]	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
e. Documentation of use of lead safe work practices by trained or supervised workers and maintenance personnel during all paint-disturbing work above <i>de minimis</i> amounts, including interim controls and ongoing lead-based paint maintenance activities? [24 CFR 35.715(b) and (c); 24 CFR 35.720(b); 24 CFR 35.1330(a)(4)]	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No

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f. A clearance report for all work above the <i>de minimis</i> amounts? [24 CFR 35.715(b), 24 CFR 35.720(a)(2) and 24 CFR 35.1340(c)]	<input type="checkbox"/> <input type="checkbox"/> Yes No
g. Complete response to a child having an Environmental Intervention Blood Lead Level (EIBLL)? [24 CFR 35.730]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
h. An ongoing lead-based paint maintenance plan where actions are based on results or reevaluation hazard control and other activities? [24 CFR 35.715(c) and 24 CFR 35.1355(c)]	<input type="checkbox"/> <input type="checkbox"/> Yes No
i. Ongoing lead-based paint maintenance and reevaluation (check the box being responded to based on the PBRA level.): <input type="checkbox"/> - <i>PBRA assistance up to \$5,000 per unit per year average</i> : Procedure for obtaining visual assessment for deteriorated paint at turnover or annually, and performing paint stabilization? OR <input type="checkbox"/> - <i>PBRA assistance over \$5,000 per unit per year average</i> : Procedure for obtaining a lead reevaluation every other year, and performing lead hazard control based on the reevaluation? [24 CFR 35.175(a) and (b), 24 CFR 35.720(a) and (b), and 24 CFR 35.1355(b) and (c)]	<input type="checkbox"/> <input type="checkbox"/> Yes No
Describe Basis for Conclusion: 	

4.

Does the participant ensure that applicants are not being denied housing based on familial status and that pre-1978 homes of families with children up to age 18 are being tested and treated for lead hazards when triggered by the regulation? (Note that the lead-based paint requirements apply to all pre-1978 units receiving project-based assistance that are not otherwise exempt from the rule, and are not restricted to only those units occupied by children under age 6. The Fair Housing Act prohibits denial of services, including Federally funded housing rehabilitation, based on familial status (presence of children under age 18) or disability. [24 CFR 100.50(b); 24 CFR 35.700]	<input type="checkbox"/> <input type="checkbox"/> Yes No
Describe Basis for Conclusion: 	

C. EXHIBIT SUMMARY:

For any findings or concerns identified in this Exhibit, list the number of the question below in the appropriate column:

Finding Question #:	Concern Question #: