

Overview of Project-Based Section 8 Lead-Based Paint Inspection Risk Assessment Program

Purpose

The Department of Housing and Urban Development (HUD) is issuing this regulation-24 CFR, Part 35- to protect young children under the age of 6 from lead-based paint hazards in housing that is financially assisted by the Federal government or sold by the government. The regulation establishes requirements that will control lead-based paint hazards in such housing. It applies only to housing that was built before 1978, when lead-based paint was banned nationwide for consumer use.

History

Childhood lead poisoning causes reduced intelligence, low attention span, reading and learning disabilities, and has been linked to juvenile delinquency, behavioral problems, and many other adverse health effects. Over the past 20 years, the removal of lead from gasoline, food canning and other sources has been successful in reducing population blood lead levels by over 80 percent. Lead-based paint in housing is the major remaining source of exposure and is responsible for most cases of childhood lead poisoning today. Lead poisoning is the major childhood environmental disease.

HUD estimates that over 60 million occupied homes, or approximately 80 percent of all homes built before 1980, have some lead-based paint. Many of those 60 million homes have only small amounts of such paint, however; generally, the older homes will contain the greater amount of lead-based paint. The use of lead in paint was highest in housing built before 1960. It was completely banned for residential use in 1978 by the Consumer Product Safety Commission.

Permission to Conduct the Evaluation

By returning the Property Profile Verification Form and the Owner Agreement to Participate, the owner/agent agrees to participate in the HUD-funded Lead-Based Paint Inspection and Risk Assessment Program.

The Owner also agrees to cooperate with the lead evaluators by ensuring that all apartments are assessable at the time of the evaluations. Failure to enter apartments constitutes lack of cooperation on behalf of the Owner, resulting in the Owner having full responsibility for the cost of complying with federal requirements relating to the lead-based paint evaluations. REAC will not attempt to schedule a second visit.

Notification of Residents

Residents must be notified in writing no later than 15 calendar days before the evaluation date, or as required by other applicable regulation. The owner/agent must ensure that all dwelling units are available for the evaluation.

Owner/agents must stress the importance of the lead-based paint evaluation to the Residents. If the Residents refuse entry and an adequate number of evaluation samples are not collected, this property will be withdrawn from the program. A second visit will not be scheduled. Nonetheless, the Owner must still comply with the regulations by the appropriate deadline dates.

Overview (continued)

Scheduling

REAC will provide the property profile information to the evaluation contractor. The contractor will contact the owner/agent to schedule the evaluation and will confirm the scheduled date with a certified, return-receipt letter 15 days prior to the scheduled evaluation. This letter will also include a checklist, which must be given to the residents.

The contractor may ask questions about the property, beyond the information already provided in the property profile. Complete property information will help the contractor minimize the time on-site. Owner/agents must ensure the contractor has the correct address of the property, and name and contact number of the owner/agent's representative.

Evaluation Process

When the evaluation contractor arrives at the property, he or she will:

1. Meet with the owner/agent representative who will accompany the contractor during the evaluation.
2. Verify the resident notification.
3. Ask for the rent-roll to identify which units will be sampled.
4. Identify "unit equivalents" from common areas (e.g. hallways) and develop a sample for the unit equivalents and common areas.

The sampling method for lead evaluations is different than the sampling method for the REAC physical inspections. Although both use random samples, the number of units included in the lead evaluation is greater than the number for the physical inspections. The actual inspection time in a unit is longer; it can range from between one and three hours.

In addition to taking lead based paint readings, the contractor will collect soil samples and obtain dust wipe samples, which will be analyzed to identify the presence of lead-contaminated dust. All samples will be analyzed and the results included in the evaluation report.

Report

The original evaluation report will be mailed to the owner after the report has been reviewed and accepted by REAC.