

Lead-Based Paint Compliance
Attachment 24-1

6509.2 REV-7 CHG-7

SUMMARY OF CPD's LEAD REQUIREMENTS FOR TARGET (MOST PRE-1978) HOUSING UNDER 24 CFR PART 35 ^a			
Subpart of Rule/ Type Program	Owner/Landlord Requirements ^{1, 2, 3}	Participant Monitoring Requirements	HUD Program Monitoring Requirements ⁶
A Lead Disclosure Rule	<ul style="list-style-type: none"> · Provide Federal lead information pamphlet (Protect Your Family from Lead in Your Home)^b · Provide Lead Warning Statement · Disclose knowledge, records and reports about LBP and its hazards to potential buyers or lessees · Opportunity for buyer to conduct evaluation 	If participant is the buyer or lessor, provide evidence of compliance with Lead Disclosure Rule.	OHHLHC and EPA are both responsible for ensuring compliance with Lead Disclosure Rule. OLHCHH has primary role for HUD-assisted/-owned housing.
B General Requirements and Definitions	<ul style="list-style-type: none"> · Definitions · Exemptions⁴ · Notice to occupants of evaluation and hazard reduction activities, if performed · Pamphlet, if not previously provided 		
J Rehabilitation Assistance ⁷ :			
For all Properties	<ul style="list-style-type: none"> · Provide EPA-HUD renovation pamphlet (Renovate Right)^c · Paint testing of surfaces to be disturbed or presuming LBP · Notice to occupants of evaluation for paint testing or presumption · Lead safe work practices during rehabilitation and lead hazard reduction · Notice to occupants of lead hazard reduction including clearance · For HOME and HTF, ongoing LBP maintenance, and response to child under age 6 with EBLL 	Evidence of compliance with the Lead Safe Housing Rule, and if participant is a lessor or seller, provide evidence of compliance with the Lead Disclosure Rule.	Program must ensure that Participant documents proper performance under agreement with respect to Lead Safe Housing Rule and Lead Disclosure Rule (see above).
1. Property receiving less than or equal to \$5,000 per unit federal rehabilitation assistance	<ul style="list-style-type: none"> · Paint testing · Repair disturbed paint · Clearance of the worksite 		
2. Property receiving more than \$5,000 and up to \$25,000 per unit	<ul style="list-style-type: none"> · Risk assessment · Interim controls of LBP hazards · Clearance of the unit (and common area, if worked on) 		
3. Property receiving more than \$25,000 per unit	<ul style="list-style-type: none"> · Risk assessment · Abatement of LBP hazards · Clearance of the unit (and common area, if worked on) 		
K Acquisition, Leasing, Support Services, or Operation	<ul style="list-style-type: none"> · Provision of pamphlet if not previously provided. (Protect Your Family from Lead in Your Home)^b · Visual assessment · Option of paint testing and notice to occupants of evaluation · Paint stabilization · Notice to occupants of lead hazard reduction including clearance · Ongoing LBP maintenance 	Provide evidence that Owner /Landlord complies with Lead Safe Housing Rule and if participant is a buyer or seller, Lead Disclosure Rule.	Program must ensure Participant documents proper performance under agreement with respect to Lead Safe Housing Rule and Lead Disclosure Rule (see above).

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M Tenant-Based Rental Assistance for units to be occupied by children under 6 years of age	<ul style="list-style-type: none"> · Provision of pamphlet if not previously provided. (Protect Your Family from Lead in Your Home) · Visual assessment · Paint stabilization · Notice to occupants of lead hazard reduction including clearance · Ongoing LBP maintenance · Response to child under age 6 with EBL⁵ 	Provide evidence that Owner/Landlord complies with Lead Safe Housing Rule and if participant is lessor, the Lead Disclosure Rule (see above).	<p>Program must ensure Participant documents proper performance under agreement with respect to Lead Safe Housing Rule and Lead Disclosure Rule (see above).</p> <p>Program must provide evidence of capacity to respond to report of child poisoning.</p>

NOTES:

- ¹ Clearance, safe work practices and occupant protection are always required after abatement, interim controls, paint stabilization, or standard treatments, except when the amount of deteriorated paint is below the de minimis levels specified in Subpart R of the rule (24 CFR 35.1350(d)).
- ² Notice to occupants must include results of evaluations (paint testing, inspection, and risk assessment) and clearance, where applicable.
- ³ Training requirements (see www.hud.gov/lead for information; see www.epa.gov/lead about certification):
 - Evaluation includes inspection, paint testing and risk assessment:
 - Visual assessment: Web-based or instructor-led HUD visual assessment course or risk assessment certification.
 - Inspection: Lead-based paint (LBP) inspection certification.
 - Risk assessment, or re-evaluation: Risk assessment certification.
 - Clearance: LBP inspection or risk assessment certification, or sampling technician course.
 - Hazard control (other than small ("de minimis") amounts of paint disturbance – see 24 CFR 35.1350(d) about this exception):
 - Repair of paint, paint stabilization, or interim control: Lead-safe work practices course.
 - Abatement: Abatement worker, supervisor and firm certification. (Applies to all amounts of abatement, even de minimis)
- ⁴ See 24 CFR 35.115 for exemptions.
- ⁵ Elevated Blood Lead Level: A reading of 5 micrograms of lead per deciliter of blood (µg/dL) for a single confirmed (venous blood) test of a child under age 6.
- ⁶ Field Office monitoring areas of interest: Covered program responsibility, partnerships, information management (monitoring, data processing, tracking), reporting and responding, and resources.
- ⁷ For information on rehabilitation in insular areas, see 24 CFR 35.940.

REFERENCES:

- a. HUD. Lead-Based Paint Poisoning Prevention in Certain Residential Structures. 24 CFR Part 35. <https://www.ecfr.gov/current/title-24/subtitle-A/part-35>.
- b. EPA, HUD, and CPSC. Protect Your Family from Lead in Your Home. <https://www.epa.gov/lead/protect-your-family-lead-your-home-real-estate-disclosure>.
- c. EPA and HUD. Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools. <https://www.epa.gov/lead/renovate-right-important-lead-hazard-information-families-child-care-providers-and-schools>.