

Exhibit 24-2
Lead-Based Paint Compliance

Guide for Review of Lead-Based Paint Compliance in Properties Receiving Acquisition, Leasing, Support Services, or Operations Assistance			
Name of Program Participant: Click or tap here to enter text.			
Program Participant Staff Consulted: Click or tap here to enter text.			
Name of HUD Grant Program(s) Reviewed: Click or tap here to enter text.			
Owner Name and Address of Assisted Project: Click or tap here to enter text.		Date Funds Awarded: Click or tap to enter a date.	
Name(s) of HUD Reviewer(s)	Click or tap here to enter text.	Date of Review:	Click or tap to enter a date.

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFO, 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 monitor programs involving acquisition (including homebuyer assistance), leasing, support services, or operations. Examples of this type of assistance include, but are not limited to: downpayment assistance, acquisition or leasing of a homeless facility, utility payments for a person with AIDS if a child under age six resides, or payment of security deposits. Other examples are payment of the day-to-day expenses of housing for the homeless, and assistance for various support services that are provided on-site at a residential facility. The Exhibit is divided into four sections:

- Section A, *Program Review*, for reviewing the program's overall compliance;
- Section B, *File Review*, for requirements that apply to all projects;
- Section C, which applies to HOME-funded support services and operations projects only; and
- Section D, *Exhibit Summary*, 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 introductory text to this Chapter.

Exhibit 24-2
Lead-Based Paint Compliance

TABLE OF CONTENTS

Program Areas To Review	3
A. Program Review	4
B. File Review	5
C. For HOME-Funded Support Services and Operations Projects Only	7
D. Exhibit Summary	7

Exhibit 24-2
Lead-Based Paint Compliance

PROGRAM AREAS TO REVIEW

Instructions: Check the program areas reviewed during monitoring:

- A. ☐ Program Review;
- B. ☐ File Review;
- C. ☐ For HOME-Funded Support Services and Operations Projects Only; and
- D. ☐ Exhibit Summary

Exhibit 24-2
Lead-Based Paint Compliance

A. PROGRAM REVIEW

1.

Does the program consistently and accurately assess projects for possible exemption from the requirements of the Lead Safe Housing Rule and EPA's Renovation, Repair, and Painting (RRP) Rule (40 CFR 745 , subparts E, Q)? [24 CFR 35.115]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion: Click or tap here to enter text.	

2.

Does the program participant have staff who are knowledgeable about HUD's lead-based paint regulations and EPA's RRP Rule?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion: Click or tap here to enter text.	

3.

Does the program participant have documentation of receipt by homeowner or occupant of the Lead Hazard Information before purchase or rental of target housing, and RRP Pamphlets before the target housing is rehabilitated, renovated, repaired or painted? [24 CFR 35.1010(b)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion: Click or tap here to enter text.	

4.

Are visual assessments for deteriorated paint being conducted in all units subject to the Lead Safe Housing Rule and EPA's RRP Rule? [24 CFR 35.1015(a)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion: Click or tap here to enter text.	

5.

<i>If the program participant was the seller or lessor of target housing, does the project file include the Lead Disclosure Rule's lead warning statement, disclosure of known information on lead-based paint, and acknowledgement of receipt of this information by the buyer or lessee?</i>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion: Click or tap here to enter text.	

Exhibit 24-2
Lead-Based Paint Compliance

6.

<p><i>If the program participant provides Federal assistance for both acquisition and rehabilitation of a unit</i>, does the program participant follow the requirements of Subpart J, Rehabilitation? (Use Exhibit 24-1, <i>Guide for Review of Lead-Based Paint Compliance in Properties Receiving Federal Rehabilitation Assistance</i>, to determine compliance.) [24 CFR 35.900(a)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
<p>Describe Basis for Conclusion: Click or tap here to enter text.</p>	

7.

<p>After paint stabilization above the <i>de minimis</i> amounts [specified in 24 CFR 35.1350(d)], is clearance consistently performed by a lead-based paint inspector or risk assessor independent of the firm conducting the work, and passed prior to occupancy or immediately after receipt of Federal assistance? [24 CFR 35.1015(b)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
<p>Describe Basis for Conclusion: Click or tap here to enter text.</p>	

8.

<p>Does the program ensure that applicants are not being denied services based on familial status or disability, and that required activities are being performed on pre-1978 dwelling units occupied by children less than age six when triggered by the regulation? NOTE: The Fair Housing Act prohibits denial of services based on familial status (presence of children under age 18) or disability. [24 CFR 100.50(b)(2); 24 CFR 35.1015]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
<p>Describe Basis for Conclusion: Click or tap here to enter text.</p>	

B. FILE REVIEW

Instructions: (Answer these questions for each project file reviewed.)

<p>Name of Program Participant or Entity Providing the Assistance: Click or tap here to enter text.</p>	
<p>9. Was this project evaluated for applicability of the Lead Disclosure Rule, the Lead Safe Housing Rule, and EPA's Renovation, Repair, and Painting (RRP) Rule? (If the response is "yes" AND the project meets the regulatory exemption standards, STOP HERE. If "yes" and the project is <u>not</u> exempt, or if "no" (presume the project is not exempt), continue with the remaining questions.) [24 CFR 35 Subpart A and 24 CFR 35.115]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
<p>Describe Basis for Conclusion: Click or tap here to enter text.</p>	

Exhibit 24-2
Lead-Based Paint Compliance

10.

Is there documentation in the file that the occupants of the unit(s) in the assisted property were provided the pamphlet, “Protect Your Family from Lead in Your Home,” at move-in or immediately after the assistance was provided (e.g., a signed copy of the pamphlet or a signed disclosure form), and that occupants consistently receive copies of the EPA-HUD Renovate Right brochure before the target housing is rehabilitated, renovated, repaired or painted? [24 CFR 35.1010(b)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion: Click or tap here to enter text.	

11.

Was a visual assessment of the assisted unit, common areas and exterior for deteriorated paint performed by an appropriately trained individual, i.e., a certified lead-based paint inspector, or risk assessor, or person successfully trained in HUD’s visual assessment course (e.g., as documented by visual assessment report or field notes)? [24 CFR 35.1015(a)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion: Click or tap here to enter text.	

12.

a. <u>If paint stabilization above the <i>de minimis</i> amounts was performed</u> , is there documentation in the file that the paint stabilization was performed by certified renovation firms, supervisors and workers using lead safe work practices (e.g., language in the work write-up, contract with workers, or signed notice of training completion)? NOTE: Intent to use such practices does not satisfy this requirement. [24 CFR 35.1015(b); 24 CFR 35.1330(a)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion: Click or tap here to enter text.	
b. Based on your review, were occupants and their belongings protected during work (e.g., documentation of relocation, language in rehabilitation contract, homeowners’ agreement, or other appropriate document)? [24 CFR 35.1345]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion: Click or tap here to enter text.	

13.

<u>If paint stabilization above the <i>de minimis</i> amount was performed</u> , is there documentation in the file that the paint stabilization was performed before occupancy of a vacant dwelling unit or where a unit is occupied, immediately after receipt of Federal assistance? [24 CFR 35.1015(b); 24 CFR 35.1010(a)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion: Click or tap here to enter text.	

Exhibit 24-2
Lead-Based Paint Compliance

14.

<p>If the visual assessment identified deteriorated paint above the <i>de minimis</i> amounts, is there a clearance report by a clearance examiner (a lead-based paint inspector or risk assessor) independent of the firm conducting the work, in the file that documents that all paint was stabilized and that the work areas passed clearance? [24 CFR 35.1015(b)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
<p>Describe Basis for Conclusion: Click or tap here to enter text.</p>	

15.

<p>If paint stabilization above the <i>de minimis</i> amounts was performed, is there documentation that a Notice of Lead Hazard Reduction was provided to the affected occupants within 15 days? [24 CFR 35.1015(d)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
<p>Describe Basis for Conclusion: Click or tap here to enter text.</p>	

C. FOR HOME-FUNDED SUPPORT SERVICES AND OPERATIONS PROJECTS ONLY

16.

<p>During monitoring for compliance with property standards during the period of affordability, does the program participant review HOME rental project owners' records to ensure that ongoing lead-based paint maintenance is being performed in accordance with 24 CFR 35.1355? [24 CFR 35.1015(c), 24 CFR 35.935; 24 CFR 92.251(f)(1)(iii) and 24 CFR 92.508(a)(3)(iv); 24 CFR 92.504(d)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
<p>Describe Basis for Conclusion: Click or tap here to enter text.</p>	

D. EXHIBIT SUMMARY

17.

<p>For any findings or concerns identified in this Exhibit, list the number of the question below in the appropriate column:</p>	
<p>Finding Question #: Click or tap here to enter text.</p>	<p>Concern Question #: Click or tap here to enter text.</p>