U.S. Department of Housing and Urban Development PUBLIC AND INDIAN HOUSING

Special Attention of: Public Housing Agencies; Indian Housing Authorities; Regional Administrators; Directors, Offices of Public Housing; Directors, Office of Indian Housing, Field Office Managers, Housing Management Division Directors; Chiefs, Assisted Housing Management Branches Transmittal Handbook No.: 7487.1 REV Issued: November 9, 1987

1. This Transmits

Changes to the Lead-Based Paint Poisoning Prevention Notification Handbook 7487. 1 REV dated 11/87.

2. Explanation of Materials Transmitted:

This Handbook contains policies and procedures for notifying purchasers and tenants of lower income public housing constructed prior to 1978 of the hazards of lead-based paint and of the advisability and availability of blood lead level screening for children under 7 years of age. This Handbook is for the use of HUD Regional and Field Offices and Public Housing Agencies (PHAs), including Indian Housing Authorities (IHAs)\*. The significant changes are:

- Extends the construction date for notification from 1950 to 1978.
- b. Limits the notification requirements to current tenants, applicants and homebuyers of PHA-owned lower income housing projects. The previous handbook applied to all HUD housing programs. The Assistant Secretaries for Housing, and Community Planning and Development will be issuing separate notices which are applicable to mortgage insurance, project based Section 8, etc.
- c. Advises current tenants, applicants and homebuyers of the advisability and availability of blood lead screening for children under 7 years of age.
- d. Requires PHAs to advise tenants to notify the PHA if an elevated blood lead condition is identified.

\*All references in this Handbook to PHAs shall apply to Indian Housing Authorities (IHAs) as well as non-Indian PHAs.

- e. Transmits the official, required notification language (Appendices 1 and IA).
- f. Deletes Appendices 2 and 2A.

3. Cancellation:

The Lead-Based Paint Poisoning Prevention Notification Handbook 7487.1 dated 12/85.

General Deputy Assistant Secretary for Public and Indian Housing

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## CHAPTER 1. INTRODUCTION

1-1. PURPOSE. The Lead-Based Paint Poisoning Prevention Act, P. L. 93-151, as amended, requires that procedures be established for notifying purchasers and tenants of housing built prior to 1950 which is covered by an application for mortgage insurance or housing assistance payments. In addition, the Act gives the Secretary the discretion to apply these procedures to such housing which may present a hazard. The Secretary has adopted a 1978 construction cut-off date for this notification requirement since there is evidence from the 1986 Abt Report that such housing may contain lead-based paint.

- 1-2. APPLICABILITY.
- a. This Handbook applies to PHA owned lower income housing projects, including Turnkey III, Mutual Help and conveyed Lanham Act and Public Works Administration projects, and to Section 23 Leased Housing Bond-Financed projects.
- b. This Handbook does not apply to projects under the Section
   23 Leased Housing Non Bond-Financed Program, the Section
   10(c) Leased Housing Program, and the Section 23 and
   Section 8 Housing Assistance Payments Programs.
- 1-3. AUTHORITY. See the current HUD regulations, 24 CFR 35.5(a) and (b), 905.107(f) and 965.703(a) and (b).
- 1-4. DEFINITIONS.
- a. Abate/abatement or treat/treatment means to eliminate identified lead based paint hazard(s) from a surface.
- b. Applicable surface means all exterior surfaces of a residential structure, up to five feet from the floor or ground, such as a wall, stairs, deck, porch, railing, window, or doors, which are readily accessible to children under 7 years of age and all interior surfaces of a residential structure.
- c. Child/children means public and Indian housing tenants and members of applicant families under 7 years of age.

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- d. Chewable surfaces means protruding painted surfaces up to five feet from the floor or ground, which are readily accessible to children under 7 years of age, e.g., protruding corners, windowsills and frames, and other protuding woodwork.
- e. Defective paint surface means paint on applicable surfaces that is cracking, scaling, chipping, peeling or loose.
- f. Elevated blood lead level (EBL) means an excessive absorption of lead, that is a confirmed concentration of

lead in whole blood of 25 micrograms of lead per deciliter of whole blood (25ug/dl) or greater.

- g. Homebuyer means a member or members of a lower-income family who has/have executed a Turnkey III Homebuyer Ownership Opportunity Agreement or a Mutual Help and Occupancy Agreement with a local Public Housing Agency (PHA).
- h. Homeowner means a homebuyer who has acquired title to his/her home.
- i. Lead-based paint means a painted surface, whether or not defective, identified as having a lead content greater than or equal to 1.0 mg/cm2.

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#### CHAPTER 2. REQUIREMENTS

#### 2-1. NOTIFICATION REQUIREMENTS.

- a. The previous regulation (24 CFR Part 35) required PHAs to notify tenants of the dangers of lead poisoning and of the advisability and availability of blood lead level screening. However, the former regulation only applied to tenants and purchasers of pre-1950 HUD associated housing, while the new regulation applies to pre-1978 housing. Therefore, because of the difference in the requirements, PHAs are required to notify their current tenants and homebuyers in public housing constructed between 1950 and 1978 and all other tenants and homebuyers who did not receive the Notice as provided in Appendix I or II of 24 CFR Part 35, 41 FR 28876, dated July 13, 1976.
- b. PHAs are required to provide all current tenants (including elderly tenants) and homebuyers of lower income public housing constructed prior to 1978 with a copy of Appendix 1 or 1A (Spanish version), "Watch Out for Lead-Based Paint Poisoning - Notification." PHAs must notify these tenants, using the revised official notice within a reasonable time, or at least at tenant recertification.
- c. PHAs are required to provide all applicants for units constructed prior to 1978 or lower income homeownership structures constructed prior to 1978 with Appendix 1 or 1A, "Watch Out for Lead-Based Paint Poisoning -Notification." Appendix 1 or 1A shall be given to these applicants when they submit a rental or purchase application.
- d. PHAs are required to inform tenants and applicants of the advisability and availability of blood lead level screening. PHAs should encourage tenants and applicants to have their children under 7 years of age tested for elevated blood lead levels. PHAs shall advise tenants and applicants to immediately inform the housing agency of an elevated blood lead level condition when it is identified so that the PHA can initiate testing and abatement actions,

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if necessary, as required by 24 CFR 965.705, or relocate the tenants to a lead-free unit. In order to properly inform tenants and applicants of available blood lead screening, PHAs should become aware of the blood lead screening services available in the city/county/state in which the PHA is located. PHAs should document their efforts to inform current tenants and applicants of the availability and advisability of blood lead level screening.

2-2. EVIDENCE OF RECEIPT OF NOTIFICATION. PHAs are required to maintain records which provide evidence that the required

notification has been received by tenants and purchasers of lower income housing projects constructed before 1978. Appendix 1 or 1A shall be used to notify tenants and purchasers of the hazards of lead-based paint. The signature portion of Appendix 1 or 1A shall be retained in the PHA's tenant file for three years after the tenant vacates the unit.

2-3. PHA MAINTENANCE REQUIREMENTS.

- a. During routine, periodic unit inspections, PHAs are required to visually inspect units in family projects contructed prior to 1978 for defective paint surfaces. If defective paint surfaces are identified, PHAs are required to treat these surfaces by covering or removing the defective paint spot. Treatment of defective paint spots may be accomplished by scraping the defective paint from the surface, washing down the area with a strong detergent (high phosphate type if permitted by state or local law), and then repainting the surface with two coats of non leaded paint. Treatment of these surfaces is to be completed within a reasonable period of time when discovered during routine periodic unit inspections.
- b. At unit turnover, when the incoming family includes a member 7 years of age or under, PHAs are required to visually inspect units in family projects constructed prior to 1978 for defective paint surfaces. If defective paint surfaces are identified, PHAs are required to treat these surfaces by covering or removing the defective paint spot. Treatment of defective paint spots may be accomplished by scraping the defective paint from the surface, washing down the area with a

strong detergent (high phosphate type if permitted by state or local law), and then repainting the surface with two coats of non leaded paint. Treatment in the case of unit turnover is to be completed prior to occupancy.

- 2-4. REQUIREMENTS FOR CHILDREN IDENTIFIED WITH AN EBL.
- a. Resident EBL Child. When a child residing in a PHA-owned lower income housing project is identified as having a confirmed EBL, the PHA is required to:
  - (1) Test all chewable surfaces and defective paint surfaces in the EBL child's unit for lead-based paint hazards within five days after notification of the identification of the EBL child. PHAs may also test the non chewable applicable surfaces. Testing of exteriors and common areas (including non dwelling PHA facilities which are commonly used by the EBL child) will be done as considered necessary and appropriate by the PHA and HUD.

- (2) Lead-based paint hazards identified in the EBL child's unit are required to be abated within 14 days after positive testing, unless funding sources are not immediately available. If funds are not available, reprogramming of previously approved CIAP funds, or emergency modernization funds, shall be requested immediately.
- (3) In lieu of (1) and (2) the PHA may choose to transfer the family to a post-1978 unit or a unit which has been previously tested and found to be free of leadbased paint hazards or abated of lead-based paint hazards.
- (4) If the EBL child uses the PHA-owned or operated child care facility, the PHA is also required to test for and abate\* (where positive) lead-based paint hazards in that facility.

\* When necessary, tenants, especially children with EBLs and pregnant women shall be relocated during abatement in order to avoid any possible exposure to health hazards.

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- b. Applicant Family with EBL Child. When an applicant family has a child with an identified EBL, the PHA is required to:
  - (1) Test for lead-based paint hazards on all chewable surfaces and defective paint surfaces in the unit to be assigned. PHAs may also test the non chewable applicable surfaces. Testing of exteriors and common areas (including non dwelling PHA facilities which are commonly used by children) will be done as considered necessary and appropriate by the PHA and HUD. Abatement\* of identified lead-based paint hazards shall take place prior to occupancy; or
  - (2) The PHA may chose to assign the family to a post-1978 unit or a unit which has been previously tested and found to be free of lead-based paint hazards or abated of lead-based paint hazards.
- c. Non-Resident EBL Child Using a PHA-Owned or Operated Child Care Facility. Where a non resident EBL child is using a PHA-owned or operated child care facility, PHAs are required to test and abate\* (where positive) the lead-based paint hazards in the facility.

\* When necessary, tenants, especially children with EBLs and pregnant women shall be relocated during abatement in order to avoid any possible exposure to health hazards.

## U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OFFICE OF PUBLIC AND INDIAN HOUSING

WATCH OUT FOR LEAD-BASED PAINT POISONING

### NOTIFICATION

TO: PURCHASERS AND TENANTS OF LOWER INCOME PUBLIC HOUSING CONSTRUCTED BEFORE 1978

This building was constructed before 1978. There is a possibility that most of the paint in this building contains lead-based paint.

## PLEASE READ THE FOLLOWING INFORMATION CONCERNING LEAD-BASED PAINT POISONING

1. Sources of Lead-Based Paint

The interiors of older homes and apartments often have layers of lead-based paint on the walls, ceilings, window sills, doors and door frames. Lead-based paint and primers (under-coats of paint) may also have been used on outside porches, railings, garages, fire escapes and lamp posts. When the paint chips, flakes or peels off, there may be a real danger for babies and young children. Children could eat paint chips or chew on painted railings, window sills or other items when parents are not around. Children could also swallow lead even if they do not specifically eat paint chips. For example, when children play in an area where there are loose paint chips or dust particles containing lead, they could get these particles on their hands, put their hands into their mouths, and swallow a dangerous amount of lead.

2. Symptoms of Lead-Based Paint Poisoning

Has your child been especially cranky? Is he or she eating normally? Does your child have stomachaches or is he or she vomiting? Does he or she complain about headaches? Is your child unwilling to play? These may be signs of lead poisoning. Many times there are no signs or symptoms at all. Lead poisoning can eventually cause mental retardation, blindness and even death.

3. Advisability and Availability of Blood Lead Level Screening

Many buildings built prior to 1978 contain high levels of lead in the paint. Since you live in a building that was built before 1978 you should take your child to the doctor or clinic for blood lead level testing. If the test shows that your child has an elevated blood lead level, treatment is available. Contact your doctor or local health department for help or more information. Lead screening and treatment are available through the Medicaid Program for those who are eligible.

Inform other family members and babysitters of the dangers of lead poisoning. You can safeguard your child from lead poisoning by preventing him or her from eating paint that may contain lead.

- 4. PHA Responsibilities
- a. Your housing authority is required to remove flaking, peeling, cracking, chipping paint from your unit when it is found during unit inspections and at unit turnover. The housing agency is also required to remove flaking, peeling paint as soon as possible after you notify them of the condition.
- b. When you notify your housing agency that your child has a confirmed elevated blood lead level, the housing authority is required to test your unit for lead-based paint hazards within 5 calendar days. The housing agency is also required to remove all of the lead-based paint hazards found in your unit within 14 calendar days after positive testing. Your housing agency may choose to transfer or assign you and your family to (a) a previously tested unit which was found to be free of lead-based paint hazards, or (b) a unit where lead-based paint hazards have been removed, or (c) a unit which was built after 1978.
- 5. Tenant and Homebuyer Responsibilities
- a. Notify PHA of Elevated Blood Lead Levels

As applicants, tenants and homebuyers of lower income public housing, you are advised to contact your

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doctor or local clinic to have your children under 7 years of age tested for an elevated blood lead level. If your child is identified as having an elevated blood lead level, you should notify the housing authority immediately of the condition so that it may take the necessary steps to test your unit for lead-based paint hazards and remove those hazards where they are found.

b. Notify PHA of Defective Paint

Young children sometimes put paint chips in their mouths, or suck their fingers after playing on the floor where paint chips may get on their hands. If the unit in which you live has flaking, cracking, chipping, loose or peeling paint you should notify the management office immediately. The housing authority is responsible for removing flaking, cracking, chipping, loose and peeling paint from your unit However, if the housing authority is unable to remove the defective paint from your unit immediately, then there some things you can do to protect your child:

- (i) Cover all furniture and appliances;
- (ii) Get a broom or stiff brush and remove the loose pieces of paint from walls, woodwork, window wells and ceilings. Try to avoid making a lot of dust as you clean up the paint;
- (iii) Sweep up all pieces of paint and plaster and put them in a paper bag or wrap them in newspaper. Put these packages in the trash can. DO NOT BURN THEM;
- (iv) Do not leave paint chips on the floor or in window wells. Damp mop floors and window sills in and around the work area to remove all dust and paint particles. Keeping these areas clear of paint chips, dust and dirt is easy and very important; and
- (v) Do not allow loose paint to remain within your children's reach since children may pick loose paint off the lower part of the wall and put it in their mouths.

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6. Homeowner Maintenance and Treatment of Defective Lead-Based Paint Hazards

If you are a Homeowner in the Public Housing Homeownership Program, you should take the necessary steps to keep your home in good shape. Water leaks from faulty plumbing, defective roofs and exterior holes or breaks may admit rain and dampness into the interior of your home. These conditions can damage walls and ceilings and cause paint to peel, crack or flake. These conditions should be corrected immediately. Before repainting, all surfaces that are peeling, cracking, chipping or loose should be thoroughly cleaned by scraping or brushing the loose paint from the surface, wet scrubbing the area with a strong detergent (high phosphate type if permitted by state or local laws), and then repainting with two (2) coats of non leaded paint. Instead of scraping and repainting, the surface may be covered with other material such as gypsum wallboard, or paneling. These coverings are intended to be permanent barriers that will prevent any future access to lead-based paint hazards.

Beware that when lead-based paint is removed by scraping or sanding, a dust is created, which may be hazardous. The dust can enter the body by either breathing or swallowing it. The use of heat or paint removers could create a vapor or fume which may cause poisoning if inhaled over a long period of time. The removal of lead-based paint should take place when there are no children and pregnant women on the premises.

SIMPLY WASHING AND PAINTING OVER DEFECTIVE LEAD-BASED PAINT SURFACES

DOES NOT ELIMINATE THE HAZARD. REMEMBER THAT YOU PLAY A MAJOR ROLE IN THE PREVENTION OF LEAD POISONING. YOUR ACTIONS AND AWARENESS ABOUT THE LEAD PROBLEM CAN MAKE A BIG DIFFERENCE.

7. Certification

I have received a copy of the Notice entitled "Watch Out for Lead-Based Paint Poisoning."

Housing Authority

Print Full Name

Address and Apt. #

Signature

Date

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### Appendix IA

## DEPARTAMENTO DE LA VIVIENDA Y DESARROLO URBANO

ALERTA SOBRE EL ENVENENAMIENTO POR PLOMO EN PINTURAS

### NOTIFICATION

A: COMPARADORES E INQUILINOS DE ESCASOS RECURSOS EN VIVIENDA PUBLICA CONSTRUIDA ANTES DE 1978

Este edificio fue constru?do antes de 1978. Puede haber la posibilidad que gran cantidad de la pintura que fue usada en este edificio contenga plomo.

FAVOR DE LEER LA SIGUIENTE INFORMACION RESPECTO AL ENVENENAMIENTO POR PLOMO EN PINTURAS

1. Sitios donde puede aparecer pintura con base de plomo

El interior de casas viejas o apartamentos, frecuentemente tienen capas de pintura con base de plomo en las paredes, techos, marcos de ventana, puertas y marcos de puertas. Pinturas con base de plomo tambien pueden habar sido usadas en balcones, pasamanos, garajes, escapes de incendio y postes de luz electrica. Cuando la pintura se descascara y se cae, puede haber peligro para ninos y recien nacidos. Los ninos pueden tragarse las part?culas de pintura de los pasamanos, marcos de ventana o de otros sitios cuando los padres no esten presentes. Los ni?os tambien pueden tragarse el plomo anunque no se coman las particulas de pintura. Por ejemplo, cuando los ni?os juegan donde hay particulas de pintura con plomo, estas pueden llegar a sus manos y cuando se llevan las manos a la boca, pueden tragarse una cantidad alarmante de plomo.

2. Sintomas de envenenamiento por plomo en pinturas

Esta su nino de mal humor? Esta el o ella comiendo normalmente? Tiene su nino dolor de estomago o vomitos? ?Se queja de dolores de cabeza? Esta su nino sin ganas de jugar? Tal vez estos pueden ser sintomas de

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enveneamiento por plomo. Algunas veces no hay senales o sintomas ningunos. Eventualmente, envenenamiento por plomo puede causar retardacion mental, ceguera y hasta la meurte.

3. Avisos y disponibilidad para examen de nivel de plomo en la sangre

Muchos edificios construidos antes de 1978 tienen altos niveles de plomo en su pintura. Si usted vive en un edificio que fue construido antes de 1978, usted debe llevar a su nino al medico o a una clinica para un examen del nivel de plomo en la sangre. Si el examen da positivo de un nivel alto de plomo en la sangre, el tratamiento esta disponible. Llame a su doctor o oficina de salud en su localidad para ayuda o mas informacion. Estas pruebas y tratamiento estan disponible bajo el programa de Medicaid, si usted es elegible. Informe a otros miembros de su familia y nineras del peligro de envenenamiento por plomo. Usted puede proteger que su ni?o se envenene por plomo si previene que el o ella coma las particulas de pintura que contengan plomo.

- 4. Responsabilidades de la Autoridad de Vivenda Publica local
- a) La Autoridad de Vivienda Publica local debe de remover las particulas de pintura con base de plomo en paredes, puertas o ventanas que esten sueltas o cayendose de una unidad o apartamento encontrados durante una inspeccion, o en ocasion de cambio de inquilino. La Autoridad de Vivienda Publica local debe de hacer esto con la mayor brevedad posible despues de usted haberlo notificado.
- b) Cuando usted le ha notificado a la Autoridad de Vivienda Publica sobre el nivel alto de plomo en el examen de su nino, la Autoridad debe de inspeccionar su unidad dentro de los proximos cinco dias. La Autoridad de Vivenda Publica local tiene que remover los peligros de la pintura con base de plomo dentro de los proximos catorce dias del resultado positivo de la unidad. La Autoridad puede trasladarlo a 1) otra unidad que haya sido inspeccionada de antemano, 2) a otra unidad donde se haya eliminado este peligro, o 3) a una unidad constru?da despues de 1978.

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- 5. Responsabilidades del inquilino y del dueno de la vivienda
- a) Notificar a la Autoridad de Vivienda Publica local de alto nivel de plomo en la sangre

Como solicitantes, inquilinos o duenos de vivienda publica con escasos recursos economicos, usted debe pedir a su medico o clinica local que a sus ninos menores de siete anos de edad se le examine para el nivel de plomo en su sangre. Si su nino es identificado como que tiene un alto nivel de plomo en su sangre, usted debe de notificar a la Autoridad de la Vivenda Publica local immediatamente de esta condicion para tomar las precauciones debidas para que su unidad o apartamento sea inspeccionado para peligro de contaminacion de plomo y que se remuevan estos peligros.

b) Notificar a la Autoridad de Vivienda Publica local sobre pintura danina Ninos de corta edad pueden llevarse a la boca particulas de pintura con base de plomo o chuparse los dedos despus de jugar en el piso donde hayan particulas de pintura con base de plomo. Si la unidad que usted ocupa tiene particulas de pintura sueltas, usted debe de notificar imediatamente a la oficina de mantenimiento del proyecto donde usted vive. La Autoridad de la Vivienda Publica local sera responsable de remover la pintura que este en malas condiciones o que tenga part?culas sueltas. Si la Autoridad de la Vivienda local no puede remover la pintura immediatamente, estas sugerencias son recomendadas para proteger a su nino:

- 1) Cubra todos los muebles y enseres electricos.
- Consiga una escoba o un cepillo duro y quite todas las particulas de pintura que se esten cayendo de las paredes, marcos de madera y techo. Evite crear mucho polvo cuando este limpiando.
- 3) Barra todas las particulas de pintura y del enyesado suelto y recojalo en una funda de papel o en un periodico. Ponga este paquete en un recipiente de basura. NO LO QUEME.

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- 4) No deje particulas de la pintura o polvo en el piso o en las ventanas. Pasele al piso un pano mojado alrededor de todo el area para recoger todas las particulas de la pintura y el polvo. Mantener el piso limpio sin estas particulas de pintura, polvo o sucio, es facil y muy importante.
- 5) No deje que la pintura suelta permanezca cerca de donde los ninos esten, ya que ellos pueden sacar las particulas de la pintura de las partes de abajo de las paredes y llevarselas a la boca.

6. Mantenimiento por dueno y tratamiento para pinturas daninas con plomo y sus peligros

Si usted es dueno de una unidad en un programa de vivienda publica, usted debe de tomar los pasos necesarios para mantener su unidad o apartamento siempre en buen estado. Goteras en la plomeria danada, techos defectuosos y huecos o roturas donde la lluvia o humedad penetren al interior de la casa, danando asi las paredes y techos causando que la pintura se descascare y se caiga, no deben de ocurrir. Estas condiciones deben de ser corregidas immediatamente. Antes de pintar su casa todas las superficies en las cuales la pintura se este pelando o descascarando deben de limpiarse, lavando con detergente fuerte (nivel de fosfato alto, si las autoridades locales lo permiten), raspando o cepiliando la pintura suelta. Luego se le da dos capas de pintura que no tenga base de plomo o se puede cubrir la superficie con otro material como paneles de carton y yeso (gypsum board), madera o se empapela. Estos paneles pueden remover el peligro de envenenamiento por plomo permanentemente.

Recuerde que cuando pinturas a base de plomo son removidas, raspandolas o pasando papel de lija, se crea un polvo que puede ser peligroso. Este polvo puede entrar en su cuerpo por medio de la respiracion o tragandose. El uso de calor o removedores de pintura puede crear un vapor o gas que puede causar envenenamiento si es ingerido por un largo tiempo. El remover la pintura con base de plomo debe hacerse donde no eston ninos cerca, ni mujeres embarazadas.

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SENCILLAMENTE LAVANDO Y PINTANDO ENCIMA DE PINTURAS CON BASE DE PLOMO, NO ELIMINA EL PELIGRO DE ENVENENAMIENTO POR PLOMO. RECUERDE QUE USTED JUEGA UN PAPEL IMPORTANTE EN LA PREVENCION DE ESTE CLASE DE ENVENENAMIENTO POR PLOMO. SUMANERA DE ACTUAR Y RECONOCER ESTE PELIGRO PUEDE HACER UNA GRAN DIFERENCIA.

7. Certificacion

Yo he recibido una copia de esta notificacion titulada "Alerta Sobre el Envenenamiento por Plomo en Pinturas".

Autoridad de Vivienda Local

Nombre Completo (letra imprenta)

Direccion y Numero de Apartamento

Firma

Fecha

5 \*U.S. Government Printing Office: 1987-201-912/80004