

Lead-Based Paint Compliance  
Attachment 24-1

6509.2 REV-5

<b>SUMMARY OF CPD's LEAD REQUIREMENTS FOR PRE-1978 HOUSING UNDER 24 CFR PART 35</b>			
<b>Subpart of Rule/ Type Program</b>	<b>Owner/Landlord Requirements<sup>1, 2, 3</sup></b>	<b>Participant Monitoring Requirements</b>	<b>HUD Program Monitoring Requirements<sup>6</sup></b>
<b>A</b> Lead Disclosure Rule	<ul style="list-style-type: none"> <li>· Federal lead information pamphlet</li> <li>· Lead Warning Statement</li> <li>· Disclose knowledge about LBP and its hazards to potential buyers or lessees.</li> <li>· Opportunity for buyer to conduct evaluation.</li> </ul>	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.
<b>B</b> General Requirements and Definitions	<ul style="list-style-type: none"> <li>· Definitions.</li> <li>· Exemptions.<sup>4</sup></li> <li>· Notice to occupants of evaluation and hazard reduction activities, if performed.</li> <li>· Pamphlet, if not previously provided.</li> </ul>		
<b>J</b> Rehabilitation Assistance <sup>7</sup> :			
For all Properties	<ul style="list-style-type: none"> <li>· Provision of pamphlet, if not otherwise provided.</li> <li>· Paint testing of surfaces to be disturbed, or presume LBP.</li> <li>· Notice to occupants of evaluation for paint testing or presumption.</li> <li>· Lead safe work practices during rehabilitation and lead hazard reduction.</li> <li>· Ongoing LBP maintenance if HOME.</li> </ul>	Evidence of compliance with the Lead Safe Housing Rule, and if participant is a buyer 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"> <li>· Safe work practices during rehabilitation.</li> <li>· Repair disturbed paint.</li> <li>· Clearance of the worksite.</li> </ul>		
2. Property receiving more than \$5,000 and up to \$25,000 per unit	<ul style="list-style-type: none"> <li>· Risk assessment.</li> <li>· Interim controls.</li> <li>· Notice to occupants of lead hazard reduction including clearance.</li> </ul>		
3. Property receiving more than \$25,000 per unit	<ul style="list-style-type: none"> <li>· Risk assessment.</li> <li>· Abatement of LBP hazards.</li> <li>· Notice to occupants of lead hazard reduction including clearance.</li> </ul>		
<b>K</b> Acquisition, Leasing, Support Services, or Operation	<ul style="list-style-type: none"> <li>· Provision of pamphlet if not previously provided.</li> <li>· Visual assessment.</li> <li>· Option of paint testing and notice to occupants of evaluation.</li> <li>· Paint stabilization.</li> <li>· Notice to occupants of lead hazard reduction including clearance.</li> <li>· Ongoing LBP maintenance.</li> </ul>	Provide evidence that Owner/Landlord complies with Lead Safe Housing Rule and if participant is a buyer or seller, Lead Disclosure Rule (see above).	Program must ensure Participant documents proper performance under agreement with respect to Lead Safe Housing Rule and Lead Disclosure Rule (see above).
<b>M</b> Tenant-Based Rental Assistance for units to be occupied by children under 6 years of age	<ul style="list-style-type: none"> <li>· Provision of pamphlet if not previously provided.</li> <li>· Visual assessment.</li> <li>· Paint stabilization.</li> <li>· Notice to occupants of lead hazard reduction including clearance.</li> <li>· Ongoing LBP maintenance.</li> <li>· Response to EIBLL child.<sup>5</sup></li> </ul>	Provide evidence that Owner/Landlord complies with Lead Safe Housing Rule and if participant is lessor, the Lead Disclosure Rule (see above).	Program must ensure Participant documents proper performance under agreement with respect to Lead Safe Housing Rule and Lead Disclosure Rule (see above). Program must provide evidence of capacity to respond to report of child poisoning.

**NOTES:**

- <sup>1</sup> 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.
- <sup>2</sup> Notice to occupants must include results of evaluations (paint testing, inspection, and risk assessment) and clearance, where applicable.
- <sup>3</sup> Training requirements (see [www.hud.gov/offices/lead](http://www.hud.gov/offices/lead) for information; see [www.epa.gov/lead](http://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: 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.
- <sup>4</sup> See 24 CFR 35.115 for exemptions.
- <sup>5</sup> Environmental Intervention Blood Lead Level: At least 20 micrograms of lead per deciliter ( $\mu\text{g}/\text{dL}$ ) for a single test, or 15-19  $\mu\text{g}/\text{dL}$  in two tests taken at least 3 months apart.
- <sup>6</sup> Field Office monitoring areas of interest: covered program responsibility, partnerships, information management (monitoring, data processing, tracking), reporting and responding, and resources.
- <sup>7</sup> For information on rehabilitation in insular areas, see 24 CFR 35.940.