



## SUMMARY OF LEAD-BASED PAINT REGULATIONS FOR UNITS BUILT BEFORE 1978

This summary informs you of certain responsibilities required of you as a participating Housing Choice Voucher (Section 8) program landlord. The Lead-Safe Housing Rule is designed to protect you, your employees and your tenants from lead poisoning.

The regulations set hazard reduction requirements that give much emphasis to reducing lead in house dust and thereby reduce the exposure to young children. Seattle Housing Authority, as part of its regular initial or annual inspection process, will conduct a visual evaluation of the building's interior and exterior painted surfaces including common areas, stairways, boundary fences and garages during initial and periodic inspections of the rental property. The inspector will look for such signs of deteriorated paint as peeling, chipping, chalking or cracking, and for any paint or coating located on an interior or exterior surface that is otherwise damaged or separated from the substrate.

Seattle Housing Authority strongly urges landlords to regularly inspect their property and remove any defective paint per requirements of the federal Department of Housing and Urban Development (HUD) prior to our initial or annual inspections. A good owner maintenance program is the best way to prevent paint problems from occurring.

If deteriorated paint is found *and* the unit was built before 1978 *and* is expected to be or is occupied by a family with a child under 6 years of age or a pregnant household member, the regulations require the owner to perform "paint stabilization" activities using "Safe Work Practices."

- ☛ All interior and exterior deteriorated paint must be removed or encapsulated, and where paint is removed, the area must be repainted.
- ☛ Damaged substrate surfaces must also be repaired.
- ☛ A person trained and certified in Safe Work Practices must conduct all work. This person must have successfully completed the "Remodeler's and Renovator's Lead-Based Paint Training Course" or the "Safe Work Practices Training Course" approved by HUD. This work requires the use of specialized equipment such as a HEPA vacuum and respirator.
- ☛ The owner must ensure and certify that paint stabilization was conducted using safe work methods including occupant protection and worksite preparation and clean-up. These methods include but are not limited to such practices as closing off the area with plastic sheeting, protecting workers, and cleaning the area thoroughly before allowing the tenant(s) back into the affected area.

*continued*

- The unit must then pass a clearance examination that includes a visual assessment of the unit/work area and surface-wipe samples of the affected rooms that are sent to a lab for analysis to determine the presence of lead on floors, windowsills and troughs. Contact Seattle Housing Authority for information on how to obtain the clearance testing. If the work site was not properly contained, then the entire unit must pass clearance. If the work area was properly sealed off, testing can be conducted on the work site and area immediately outside the containment.
- The owner must provide notification to the occupants in writing of the hazard reduction activities and the result of the clearance or any other testing completed on the unit.
- The owner must conduct ongoing monitoring and maintenance of the unit to prevent lead hazards.

If the unit or areas of deteriorated paint have been tested by a certified laboratory or Certified Risk Assessor and have found no lead present, Seattle Housing Authority will exempt these areas from any immediate or future removal procedures.

\* \* \*

Seattle Housing Authority is committed to making this process as efficient as possible and will gladly provide you information and resources upon request.

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#### **“DE MINIMIS” LEVELS**

**“Greater than”** means deteriorated paint totaling more than (a) 20 square feet on any one type of exterior surface(s); (b) 2 square feet in any one interior room or space; and/or (c) 10 percent of the total surface area on an interior or exterior component with a small surface area such as window sills and trim.

**“Less than”** includes all amounts at or below *a*, *b* or *c* listed in the “greater than” definition above. Clearance examinations are not required when maintenance and hazard reduction activities do not disturb painted surfaces defined as “less than.” Use of “Safe Work Practices” is highly recommended by Seattle Housing Authority.

**Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards**

**Lead Warning Statement**

*Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, lessors must disclose the presence of known lead-based paint and/or lead-based paint hazards in the dwelling. Lessees must also receive a federally approved pamphlet on lead poisoning prevention.*

**Lessor's Disclosure**

(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):

(i) \_\_\_\_\_ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

\_\_\_\_\_

(ii) \_\_\_\_\_ Lessor has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the lessor (check (i) or (ii) below):

(i) \_\_\_\_\_ Lessor has provided the lessee with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

\_\_\_\_\_

(ii) \_\_\_\_\_ Lessor has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

**Lessee's Acknowledgment (initial)**

(c) \_\_\_\_\_ Lessee has received copies of all information listed above.

(d) \_\_\_\_\_ Lessee has received the pamphlet *Protect Your Family from Lead in Your Home*.

**Agent's Acknowledgment (initial)**

(e) \_\_\_\_\_ Agent has informed the lessor of the lessor's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

**Certification of Accuracy**

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

_____	_____	_____	_____
Lessor	Date	Lessor	Date
_____	_____	_____	_____
Lessee	Date	Lessee	Date
_____	_____	_____	_____
Agent	Date	Agent	Date