



Division of Housing



Advances

The Source for Current housing Trends

LEAD-BASED PAINT HAZARDS

AND NEW FEDERAL REGULATIONS

People are exposed to lead from numerous sources such as paint pigments, dust, automobile emissions and ground water. While adults may suffer various ailments due to excessive lead in their blood, the group most at risk from exposure to lead is children under the age of seven. Since the fetus is at risk from high levels of lead, pregnant women and women who may bear children in the future also must be aware of the hazards.

Excessive blood-lead levels can seriously damage a child's brain and central nervous system. Lead exposure in children can produce permanent nervous system damage, including reduction in intelligence and attention span, reading and learning disabilities, and behavior problems. The Center for Disease Control has labeled childhood lead poisoning as "the number one environmental health hazard facing American children".

The Department of Housing and Urban Development and the Environmental Protection Agency jointly passed the Residential Lead-Based Paint Hazard Reduction Act of 1992 (commonly referred to as Title X). This legislation serves to reduce the risks associated with known lead-based paint hazards by requiring owners and landlords of housing built before 1978 to disclose any knowledge of lead-based paint (LBP) and/or lead-based paint hazards. In future years, the legislation will also require the remediation of lead-based paint hazards if Federal funds are used for the acquisition or rehabilitation of housing.

The component of the legislation that requires disclosure is now legally enforceable:

Effective Dates:

September 6, 1996 for owners of more than four dwelling units.

December 6, 1996 for owners of less than four dwelling units.

Target Housing: Any housing constructed prior to 1978.

Housing Not Affected:

* Housing built after 1977.

* Zero bedroom units including efficiencies, lofts, and dormitories.

* Short-term leases for less than 100 days, where no lease renewal or extension occurs (for example--vacation rentals).

* Housing for the elderly and housing for the disabled (unless there are children under the age of seven living in the unit).

* Housing inspected by a certified inspector and found to be free of lead based paint.

* Foreclosure sales.

Requirements of the Act:

* Sellers and landlords must disclose known lead-based paint hazards and provide available reports to buyers or renters.

* Sellers and landlords must provide renters and buyers with the pamphlet titled "Protect Your Family From Lead in Your Home." This pamphlet is available in English and in Spanish. You may request copies of the pamphlet from the Government Printing Office--(202) 512-1800.

* Home buyers get a ten day period to conduct lead-based paint inspection or risk assessment at their own expense.

* Sales contracts and leases must contain notification and disclosure language.

* Sellers, lessors, and real estate agents share responsibility for ensuring compliance.

Although the laws regarding remediation have not been finalized, the following workmanship practices are recommended in order to minimize risk to workers and residents:

- * Work Wet. Mist surfaces before sweeping or scraping.
- * Work Smart. Protect residents - if possible have them leave the work area. This is especially important for children under 7 years old and women who are, or may be, pregnant. Protect workers - wear respiratory protection, gloves and coveralls when working in areas that may disturb LBP. Do not use an open flame or methylene chloride to strip and clean surfaces. The use of a heat gun that generates temperatures less than 1,100 degrees F. is acceptable and trisodium phosphate is recommended as a cleaning agent.
- * Work clean. Generate as little dust as possible. Clean up when done.

For additional information, please contact the National Lead Information Clearinghouse at 1-800-424-LEAD.



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