

**TO: Owners/ Agents**

**FROM: Greensboro Housing Authority (GHA) Section 8 Department**

**SUBJECT: Lead-based Paint Hazard Disclosure**

As a result of past Federal, State and local efforts to reduce lead in the environment, the percentage of children with elevated levels of lead in their blood has declined considerably over the past 20 years. Studies suggest that lead exposure from deteriorated residential lead-based paint, contaminated soil, and lead in dust are among the major existing sources of lead exposure among children in the United States.

Section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 directs EPA and HUD to jointly issue regulations requiring disclosure of known lead-based and / or lead-based paint hazards. All persons selling or leasing housing constructed before the phase out of residential lead-based paint use, which began in 1978, are affected by this legislation.

This rule directly impacts owners who rent units to the programs we administer for HUD. We wish to provide you with the information because you may have not heard about the new requirements.

The EPA and HUD have established the following requirements:

- Sellers and lessors of most residential housing built before 1978 must disclose the presence of known lead-based paint and/ or lead-based paint hazards in the housing;
- Sellers and lessors must provide purchaser and lessees with any available records or reports pertaining to the presence of lead-based paint and/ or lead-based paint hazards;
- Sales and leasing contracts must include certain disclosure and acknowledgement language as required by 8-729-1, a copy of which is attached.

This rule impacts both the conventional market and subsidized property ( i.e., this rule applies to all owners who sell or lease units). This regulation is in addition to what is currently required for Housing Quality Standards.

Below are the major points from the regulation:

- Housing that was constructed prior to 1978, except housing for the elderly or person with disabilities (unless any child who is less than 6 years of age resides or is expected to reside in such housing) or any 0-bedroom dwelling is considered “targeted housing” and subjected to the new requirements.
- Lessors must disclose to the lessors the presence of any known lead-based paint and/or lead-based paint hazards.
- Lessors must provide lessees with available records and reports.
- Lessors must attach or include in the leasing contract specific disclosure requirements and warning language.

Housing affected:

- All transactions to sell or lease target housing except the following:
  1. Sales of target housing at foreclosure
  2. Leases of target housing found to be lead-based paint free by an inspector certified under the Federal certification program or under a federally accredited State or tribal certification program.
  3. Short-term leases of 100 days or less
  4. Renewals of existing leases in target housing in which the lessor have previously disclosed all information required by law

Effective date of rule:

- For owners of more than four residential dwellings: September 6, 1996.
- For owners of one to four residential dwellings: December 6, 1996.