

Video Series on the Amended Lead Safe Housing Rule (LSHR)

EBLL Response in PBV Units: The Basics

Slide 1: EBLL Response in HCV Units, Segment 1: The Basics

Welcome! I'm Tara Radosevich from HUD's Office of Public and Indian Housing. Over the next three video segments, you'll learn about PHA and owner responsibilities for responding to cases of Elevated Blood Lead Level (or EBLL) in the Project-Based Voucher (or PBV) program.

We hope that you had a chance to watch the introductory segments of this video series, which provide an overview of the Lead Safe Housing Rule Amendment and define key terms. If you haven't done so already, we recommend you watch the introductory segments now.

Slide 2: EBLL Response in HCV Units

Over the next three video segments, we will focus on the PBV program and the requirements for responding to EBLLs in PBV units. This first segment will cover general requirements and responsibilities for the PBV program. The second segment will cover action steps to be taken for the index unit. The third segment will cover action steps to be taken for other covered units.

Slide 3: Key Acronyms

Key acronyms that we will be using in this video series are as follows: LSHR is the Lead Safe Housing Rule; PHA stands for public housing agency; PBV refers to the Project-Based Voucher program; EBLL stands for Elevated Blood Lead Level; EI stands for Environmental Investigation; HAP stands for Housing Assistance Payments; OLHCHH stands for HUD's Office of Lead Hazard Control and Healthy Homes; and PII stands for personally identifiable information.

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Before we get into the details, we'd like to point out that although some of these EBLL response requirements may be new, PBV units subject to the existing rule should already have received some form of lead-based paint hazard assessment.

Specifically, owners of multifamily properties receiving more than \$5,000 per assisted unit per year should have already conducted a risk assessment in each unit, responded to any lead-based paint hazards identified, and incorporated ongoing lead-based paint maintenance and reevaluation activities into normal building operations.

Owners of multifamily properties receiving up to \$5,000 per assisted unit per year should have already conducted visual assessments, responded to deteriorated paint surfaces, and incorporated ongoing lead-based paint maintenance and reevaluation activities into normal building operations.

Slide 4: Designated Party for EBLL Response

Let's begin by talking about the designated party for EBLL response. The designated party is the person or entity responsible for completing EBLL response steps.

In the PBV program, the owner is responsible for nearly all action steps in EBLL response: including verification, assessment, control and clearance, ongoing maintenance, and any reevaluations under the Lead Safe Housing Rule. The PHA, on the other hand, is responsible for monitoring owner compliance with these requirements in accordance with their HAP contract. Additionally, the PHA may wish to directly assist owners on these steps to ensure quick and effective responses to EBLL cases in your jurisdiction.

Slide 5: Designated Party for EBLL Response (cont.)

Beyond their monitoring of owner compliance, the PHA is technically only responsible for the periodic reevaluation and response step for properties receiving over \$5,000 per assisted unit per year and for monitoring compliance (as you can see in the bottom two rows of the table on your screen.).

And in instances where the owner is the designated party, it is up to the PHA and the owner to determine how the PHA can best assist the owner in implementing the steps. PHAs should work with their owners to discuss and decide on protocols for PHA involvement and assistance.

Slide 6: Types of Assistance PHAs Can Offer Owners

Examples of the types of assistance PHAs can offer owners include: providing names of certified lead hazard control contractors, providing for the clearance examination, helping to notify residents in a multiunit property, and facilitating contact with the local HUD field office.

If you follow with us step by step through this video series, we will break down responsibilities and discuss opportunities for collaboration between owners and PHAs.

Finally, as private market landlords, PBV owners are not required to accept voucher tenants, so offering owners assistance and support can help to ensure that the requirements for EBLL response are not overly burdensome.

Slide 7: Reminders for Documentation and Notification

Before we dive into the EBLL response steps, there are a few points regarding resident and HUD notifications that are important to highlight. These requirements for resident notifications are found in section 35.125 of the Lead Safe Housing Rule.

The first requirement is the notice of evaluation. If an assessment finds lead-based paint or lead-based paint hazards in a unit, the designated party must notify building residents within 15 calendar days through the notice of evaluation. The notice must be dated and must include a summary of the nature, dates, scope, and results of the evaluation, along with a contact for resident questions.

The second requirement is the notice of hazard reduction activities. This notice is similar to the notice of evaluation but must be provided for any hazard reduction activities that require a clearance examination. In addition to the requirements for notifying residents, there are also requirements for notifying the local HUD Field Office. For each step in the EBLL response, the Lead Safe Housing Rule requires the designated party to provide the HUD Field Office with documentation within 10 business days of completing each step.

If you're not sure whether there's a requirement for notification or documentation around a certain EBLL response step, it's safe to assume there probably is. And all the documents must be kept by the PHA for possible review for at least three years. We'll come back to these notifications and timelines as we walk through each EBLL response step.

Slide 8: End of EBLL Response in PBV Units Segment 1

This concludes the first segment of EBLL Response in PBV units. Thank you for watching. Please continue to the next segment on EBLL Response in the Index Unit.