

Lead Safe Housing Rule Webinar Series

Subpart L, November 2, 2022

Les Warner: This is our session on Subpart L and so our Lead-Based Paint Regulations are multiple subparts that will provide the specific requirements for different types of activities. Kris will be talking a little bit more about that a little later in this session.

Just wanted to mention a couple of notes here. So previously, Subpart H, which is for project base assistance and then also Subpart M, which is for tenant base rental assistance, those have been already presented and those will be available for you.

So I just also wanted to mention under Subpart L that this does not include Indian Housing. Indian Housing is covered under Subparts H and M based on the type of activity that's being completed.

Also know that we're going to be taking a break around halfway through our session. We'll play it a little bit by ear based on when there's a good break in the materials. So welcome everybody. Glad you could join us today. We'll start out with some quick introductions. Kris, you want to introduce yourself?

Kris Richmond: Yes. Thank you. Sorry it took me a second to find the unmute button. I'm Kris Richmond. I'm with ICF. Been with ICF since 1999. Before that I worked in local government. I do a lot of training with Les. We train on Lead Safe Housing Rule. We also train on section three, and I do a lot of work for the affordable housing programs in the HOME program and just getting started with HOME-ARP. So thank you. Thanks for coming today.

Les Warner: Thanks Kris. I'm Les Warner. I've been with ICF for 15 years and prior to that I worked at the state level for 20 years, headed up a large state program. We're also joined, we've got a great cast and crew here today.

We've also got folks from HUD's office of Healthy Homes and so, they're going to be supporting us as we go along. As questions come up, they'll be helping to answer questions and be a resource for us as we go along.

Let's talk a little bit about, I mentioned that this is part of an overall series. And so, the goals of this series, we're trying to make sure that you have a good understanding of the Federal Lead-Based Paint Regulations.

And part of that, we're going to be going through some specific terminology to make sure you understand that because as we talk about what those requirements are, we'll be using some of these key terms that will be important for you to understand what we're indicating with that.

As we mentioned the subparts that will apply are going to be based on the type of HUD assistance that you're using, the type of HUD programs that you're operating in today. We're going to be focusing on Subpart L, which is for public housing.

And as part of this, we're going to be talking about the key to showing compliance for a lot of what we do is having appropriate documentation in place. So as we go through talking about the

different steps and key things that you'll be doing, we'll also be talking about the documentation that we would expect that you would have collected and be maintaining in your file.

And then at the close of our training, each of these in the series, we're going through some of the available resources. And the resources for the Lead Safe Housing Rule have been expanded and updated recently and I think there are a number of things we'll be pointing out that I hope will be very helpful for folks. So stay tuned for that information.

So we're scheduled for a three-hour webinar here. This is really our first time in doing the Subpart L on this so, we might take a little bit less time. I'm not completely sure. And then tomorrow we will be answering questions today, as Sherita explained about typing them in to the question box.

But we also will have a one-hour session tomorrow that will allow us to go through, not only some case examples and an exercise, but also to answer any remaining questions that you have. We also use that time to do a little bit of a review of some of the common sorts of questions or issues that were coming up in today's session.

We'd have a little bit more time to be able to talk about those because we want to make sure at the end of this that you feel really comfortable with the requirements, that you understand what you need to do, what planning you need to have in place.

As we mentioned we are recording these sessions and they will be posted on the HUD Exchange. It usually takes, I believe, a couple of weeks until they have been formatted and are available on the website. So that will be a continued resource for you going forward to be able to refer back to or to reference other staff or other partners to that resource.

So as we mentioned, the webinar series also included webinars on Subpart M, which is Tenant Based Rental Assistance and also Subpart H, which is Project Based Assistance. And so, today of course, is our Public Housing, Subpart L session.

There were a number of handouts that were sent out to folks. We will be referring to some of those and projecting them as part of our training today. I would think that they're going to be good resources for you, and you may want to use those going forward as a good reference for that.

So there was a handout that went through the Lead Safe Housing Rule definitions, which can be very helpful to refer back to. There also is a handout specifically on the Lead Disclosure Rule, which Kris will be talking about in a bit.

There is a handout specifically on the EPA's Renovation, Repair and Painting Rule. And we'll be talking a little bit later in this session about, sort of, a compare and contrast between the HUD Lead Safe Housing Rule, The EPA's RRP Rule, some of the differences when they each apply. And I think this handout will be a little helpful for you.

And then there's also a summary handout about lead based paint. So we'll be seeing those as we go along through today's session. So since we're not able to be in a room and kind of go around the room and learn a little bit more about you, we want to start out with a poll and get a feel for your level of experience in working with the lead regulations.

And so, the poll will be opening up. Looks like it's open now. If you can go ahead and then mark a, b, or c on what kind of best matches your level of experience and then hit the submit button. And we'll be able to see a cumulative roll up of your responses. Give you a minute here or so.

All right. Poll has ended. We'll have our results here in a moment. All right. So kind of what we would expect. We've got really a mix in participants today. We've got almost equal amounts of folks that are saying that they're new to applying the lead regs versus folks that have some level of experience. We've got some folks that have quite a bit of experience in this, which this can be helpful refresher for folks.

So we're going to be covering the basics. So folks that are new to this will be able to be brought up to speed. But again, I think for folks that have a little experience with this, this is a really good opportunity to think through how am I -- how are my programs set up? How are my staff in a way to make sure that I'm going to be in compliance with these regulations that are being covered here.

So we want to start out by talking just a little bit about lead and why do we -- why are we concerned. Why do we have a Lead Safe Housing Rule in place. So the issue with lead -- it is a naturally occurring element.

You know, sometimes we -- if you're in the grocery store and things are saying all natural. Well, lead is all natural but that's probably not something that you want to introduce into your body or into your diet.

And so, it is something that occurs in the environment, but we also have lead in our environment because of manufactured products. And so, ways that we have lead introduced into our environment we're going to be focusing on paint.

But also keep in mind that through ceramics, air pollution, perhaps, pipes. And then we have some cosmetic, sometimes some cultural items that might include lead as part of that. And so, we're -- as we are talking through this, we're going to be talking about how the Lead Safe Housing Rule is focused on trying to protect individuals and particularly those who are at the highest risk from potential contact with lead.

So when we look at who's in the highest risk, our number one is for children that are under age six. And so, their bodies are growing rapidly. They absorb more lead than would affect an adult. And it has more impact on their bodies because they're developing. And we're also going to be talking about some of the habits with children under six may also lead to higher levels of exposure on that.

We're also concerned about pregnant women. So any exposure that elevates that blood lead level for the mother is also going to expose that developing child. And so, we want to -- that's part of our factor on looking at high risk.

And then, of course, we have some workers that through the type of work that they're doing might have a higher level of exposure. We're going to be talking about, for instance, the EPA RRP Rule and trying to protect workers who are working lead housing reduction.

We not only want to protect that worker from that, but we also want to make sure that any contamination that they've come into contact with is then not brought home and brought back to that household as part of that.

So when we talk little bit about children and exposure to lead, as I mentioned, they're growing rapidly but they also -- children will small -- particularly small children have a lot of hand to mouth action.

So you know, they're picking everything up, sticking it in their mouth. They are crawling. And so, we have a direct contact with soil or floors where we may have lead dust. We could have impact surfaces where we have unstable paint surfaces. And if we have chipping or peeling paint, we could have ingestion of lead through eating the paint chips.

I'm told that lead paint is a little bit sweet and makes the lead chips a little more interesting. I can't say that I sampled one myself. And so, when we talk about the trigger level of lead in a child, our HUD standard is five micrograms per deciliter. That's what our little symbol here stands for.

The CDC recently lowered their reference value on this to 3.5 micrograms per deciliter. HUD is going to be -- is going to continue to take action with confirmed blood levels at the five micrograms per deciliter on this.

I will reference that at the bottom of the slide you'll see there's a little video link. There's a really good video that kind of quickly goes through the impacts of lead on the body and kind of how it interacts with the body, with the brain that I found very interesting. I think you may also. It also might be something you want to share with staff or other folks.

So when we're talking about the impact on children, things like decreasing bone and muscle growth. It can have an impact on the brain and its development. Also including things like hearing loss or learning disabilities.

And then damaged organs to the nervous system could cause anemia. So these are all serious implications that we want to, as part of affordable housing providers, make sure that we are trying to prevent this.

So our main purpose of Lead Safe Housing Rule is to protect children in assisted target housing through primary prevention. And when we use the term target housing, we'll use this as we go through the training.

Target housing is any housing that was constructed prior to 1978. So lead paint was banned in the United States beginning in January of 1978. And so, this line is drawn on housing that was constructed prior to that may contain lead base paint. And so, our Lead Safe Housing Rule applies specifically to that targeted housing.

And so, as we talk about exceptions going forward, we may have housing that was built in 1978 or more recently that ends up being exempt because it's not part of our target housing. But we'll also be talking about an exemption for housing that is specifically for elderly or persons with disabilities.

And just kind of a key point to keep in mind here is, when we talk about elderly housing, it's not that you have a unit that is occupied by an elderly household. When we talk elderly housing, this is a unit that is specifically set aside and restricted in occupancy for elderly or persons with disabilities.

Also, when we talk about exceptions, we'll also be talking about zero-bedroom dwellings. So single room occupancy dwellings. And this is really with the idea that we would not expect that in a zero-bedroom dwelling that we are going to have children occupying those units.

That's not really what they were designed for. But in the case that we actually find, oh, it's a zero-bedroom dwelling but we do have a child that is less than six years old, that is either residing or expected to reside -- and I'll mention what we mean by that in just a moment -- then that exemption would go away.

We can't assume that that zero-bedroom dwelling is exempt if it turns out that we actually have that child under six that's occupying that. So when we talk about expected to reside, that would be really two different things. One, we have someone that has signed a lease and so they haven't moved in yet, but they are expected to reside because we have a commitment for that unit to that household.

But we also could have an occupant who was pregnant. And so, we're expecting for a child to be residing in that unit. So you'll be hearing those terms as we go forward. Want to make sure we all have a working handle on that.

So here's laid out in one slide, the exceptions. And we've pretty much talked about these. Properties constructed after January 1st, 1978. So if it was built while Elvis was alive, it may have lead. After Elvis is gone it would -- should not contain lead and so would be exempt.

We talked about our zero-bedroom units, SROs. We've mentioned the elderly and disabled housing. And again, this is housing that is specifically restricted for elderly and those with disabilities.

And then we may have properties that even though they were build prior to 1978 have been inspected and found to be lead free. And so, lead paint could be used legally until 1978 but we certainly, and as the years went on, we may have seen less of a use of lead paint.

So you may have units in your portfolio or no, buildings in your portfolio that actually have no lead-based paint. If we can document that they have been inspected and determined to be lead free, then they would be exempt from these requirements.

In some cases, we will have properties that at one point included lead-based paint, but they have -- all lead base paint has been identified, removed and clearance achieved. Now, I want to repeat this because we've had a lot of questions over in our training series.

Lead-safe versus lead-free is something different. So we could have a property that has -- we've identified that it has lead-based paint. We have done abatement on that property and contained the lead but it's not been removed from that property. So maybe we have tibecked [??] and resided the outside of that property. That property is not lead free because the lead is still there, but it is lead-safe. And so, this applies specifically to when we have a property that is lead free.

On any of these exemptions, if we find, such as in housing for the elderly and disabled, if we have a child under six who resides or is expected to reside, then that exemption is not going to apply because the occupancy is not what we would expect and we have a high-risk occupant that we need to make sure that we protect.

All right. So a couple of other exemptions. If you had an unoccupied property that was going to be demolished and you're going to keep it unoccupied until that demolition occurs, then the Lead Safe Housing Rules are going -- it's going to be exempt from those requirements.

We also have times where some kind of emergency action is needed. Let's use the example, let's say there's been a tornado and part of the roof has been torn off of the structure. That emergency action to repair the roof enough to keep it stable to keep water from coming into that structure, that would be exempt from the Lead Safe Housing Rule so we could get it done quickly to be able to stabilize that property.

But then the rehabilitation, restoration that's going to be done that's part of that, that part of your project is not going to be exempt. And you'll have to follow the Lead Safe Housing Rule requirements. It's only that emergency action that's needed to stabilize, to address that immediate danger is going to be the portion of that that is exempt.

And sometimes folks think, well, I've had an emergency situation. I don't have to do anything further here. It's only for that emergency action that we have an exemption.

All right. And then we also have sometimes where we have some limitations on the requirements. So you may be doing some maintenance or repair activities on a unit that's not going to disturb any painted surfaces.

Maybe you have a unit that has a leaking faucet at the kitchen sink and you're going to go in and you're going to be replacing that faucet. In a situation like that, you're not probably disturbing any painted surfaces and so you would be exempt from the Lead Safe Housing Rule requirements.

Also, where we have very minor maintenance or activities that are going to have very limited impact on painted surfaces, this can be done under an exemption of the de minimis levels. And so, we have some categories here.

If we're working within a two square foot interior space, so maybe we are switching out a thermostat on a painted wall could easily be in de minimis level less than the two square foot. And so, we would be exempt from the Lead Safe Housing Rule. We would be exempt from the Lead Safe Work Practices.

We certainly would encourage you to always use Lead Safe Work Practices, which we going to be talking about a little bit later. But it would be exempt. Also, we have a category for small component types. So 10 percent of the small component type. This is where we can't measure them all together so, we're thinking about maybe woodwork or something where if it's 10 percent or less of that small component type then we could be exempt under the de minimis level on this.

And then for exterior, we have a separate de minimis level of 20 square feet of exterior work. Now, I will note that we'll be mentioning later when we do this comparison of the EPA rule but the EPA thresholds on de minimis are different.

So for instance, on our interior space under the HUD rule, we have two square feet per interior space. The EPA threshold is six square feet. The EPA rules on the other two categories are the same but we do have a difference on the interior space.

So you'll hear us say as we go along that it's important to make sure that contractors that you are working with understand that your particular project is falling under the HUD Lead Safe requirements. And so, we have a more stringent de minimis rule that's going to apply on that.

All right. With that, I'm going to turn things over to Kris and she's going to walk us through a little bit about the different components of the Lead Safe Housing Rule.

Kris Richmond: Great. Thanks Les. Do you want to hand the -- hand that over to me. There we go. All right. Well, there are two federal regulations that we're going to discuss today. The first is HUDs regulation. That's found at 24 CFR Part 35. You see that in the blue box at the top.

And then we have EPAs requirements. Those are found at 40 CFR Part 745. Those are in the green box below that. So in case you're not familiar, that term -- those initials, CFR, that stands for the Code of Federal Regulations. Now, we're always going to find HUDs regulations at Title 24 and we're always going to find EPAs regulations at Title 40.

So we're going to start off here with the top. We have Subpart A. This is the Lead Disclosure Rule. This is identical to EPAs disclosure rule found at Subpart F. So those two are exactly identical regulations.

And then we have Subpart B. This is our general requirements and our definitions. And then we have our different Subparts. Today we are focusing on Subpart L for public housing. That's our Lead Safe Housing Requirement. So what do we need to do?

And then we're going to -- then we have our Subpart R. This is our Lead Safe Housing Rule methods and standards. So this is the how. How are you going to do evaluation? How are you going to do hazard reduction? Who does it have to be carried out by?

And then below here, as I mentioned, the EPA regulations, we have Subpart F, which is exactly the same as HUD's Subpart A. And then we have D, L and Q. This is our Lead Based Paint Activities Rule. So this is who. Who -- what are the standards for performing lead abatement, risk assessments, inspections. Who can do those?

And then lastly, we have Subparts E and Q. This is a renovation, repair and painting rule. So the RRP really minimizes exposure to dust, and it emphasizes safe work practices. Okay. So on the previous slide you say the regulations. This slide really gives us an overview of what each one is.

So all the regulations are going to work together. It's really important that you understand what they are. So first we have our disclosure rule. This is HUD Subpart A and EPA Subpart F. It's for both assisted and non-assisted housing.

So if you as someone who works for the PHA, you go and buy your house. It's on the open market. It's built before 1978. You should have received a disclosure notice. Or if you're renting an apartment that was built before 1978, you should have received a disclosure notice. Again, for both HUD assisted and non-assisted housing, the disclosure rule applies.

It's been in affect since March of 1996, and it's enforced by HUD and EPA and the Department of Justice. Then we have our HUD Lead Safe Housing Rule. This applies to all federally assisted and federally owned housing built before 1978. It's been in affect since September of 2000. So we're in our 22nd year now of it being in affect. It's enforced by HUD. And the focus is on housing. So it's not focusing on childcare or preschools, but it is focused on housing.

And then we have EPA's RRP rule. This is EPA E and Q. This is, again, applies to target housing. Remember Les had a slide that said target housing is any housing built before 1978. But RRP also extends, in addition to housing, it extends to child occupied facilities, such as daycares and schools.

This is for any renovation or repair painting project that's done by a contractor that disturbs paint in pre 78 homes. And this has been in affect since April of 2010. So it came a little later after Lead Safe Housing Rule came out. And it's enforced by EPA as well as some states.

So these are the different sections in the regulations. Today, like I said, we are going to be focusing on Subpart L for public housing. We also need to make sure that we're following Subpart A disclosure. I have a couple of slides to talk about that.

B, the definitions and requirements. And then, as I said, L for public housing. And we're also going to be talking about methods, R, for methods and standards for paint evaluation and hazard reduction activities.

So lots of different requirements and you'll see how they all lay over and interrelate with each other. So public housing programs that provide housing under the 1937 Act will follow Subpart L. If you are working with housing choice vouchers, that follows Subpart M.

So we did Subpart M probably about a month ago now. The recording should be available to you. So we're not looking to -- today we're not talking about housing choice vouchers. Today we're just talking about general public housing that's funded under the 1937 Act, section 9.

Great. So let's look at a couple of key definitions. Target housing, again, this is any housing built before 1978 with some exceptions. Some of those exceptions would include housing exclusively for the elderly, housing exclusively for the disabled, or zero-bedroom units unless a child less than six is residing in those units or is expected to reside in those units.

And then we have lead based paint hazards. So lead based paint hazards are any condition that's cause for -- caused by exposure from deteriorated lead-based paint, cause from dust with lead levels that are at or above the deciliter hazard standard, perhaps caused by soil with lead levels that above the standard or caused by friction, impact or chewable surfaces with lead-based paint and also are causing a dust lead hazard.

So it's any of these conditions that would result in an adverse human affect. So that's what lead-based paint hazards are. As you heard Les talk about lead-based paint, lead-based paint alone is not harmful but deteriorated lead-based paint or dust, things that are causing these hazards, that's what makes lead-based paint unsafe.

And then we have the definition of lead-based paint. This is paint or other surface coatings that contain lead equal to or exceeding one milligram per square centimeter. So some states and communities have more stringent definitions of lead-based paint. They have a more protective standard of what is considered lead-based paint.

But HUD sets a limit at one milligram per square centimeter. So some cities have it below that amount. You're going to want to check with your state and local regulatory authorities whether they're stricter requirements or definitions.

And we also have this resource. I guess I should have showed that to you first. So that -- let me see if I can find it. Here we go. This is one of the handouts that's available to you. So if you're fairly new or even if you're not new, it's a great resource to go back to, to check what are these different definitions. So this is available to you for download.

I know that Sherita put in the chat the link. If for some reason you missed the e-mail of where these are available, she put the link in the chat. So you can go to that, copy and paste and be able to access these materials, as well.

So Lead Safe Housing Rule uses the term designated party to identify a person or an entity responsible for responding to all Lead Safe Housing Rule requirements and for the assistance for a particular housing property or unit. And so, for public housing, the designated party is the Public Housing Authority. So if you are working in other Subparts, you might see different designated parties but for Subpart L the designated party is the PHA.

There are many professionals that are involved with housing in meeting compliance for Lead Safe Housing Rule. This is our PHA that owns our properties that's under Subpart L. So I'll put our PHA here. You might have your own maintenance staff and repair contractors. Your program staff is doing intake. You probably have compliance staff, finance staff.

And you may have lead specialists. Lead specialists that you may -- that may be staff, or you may have to be contracting out for these lead specialists. So you might have paint inspectors, risk assessors, clearance examiners. You also may have staff who are trained as lead contractors, lead abatement supervisors, RRP workers.

Or you may, depending on your size and your finances may have to call have to contract out for these particular lead specialists. So as we go through the materials today, you'll hear us talking about a paint inspection or a risk assessment or clearance exam.

We're going to go into more detail about what that is, when you have to do that, and who could be qualified to do that. There's certain certifications, trainings that need to take place. But we'll go through all that in the time we have together.

So in 2021 EPA announced its intent to improve compliance and strengthen enforcement of RRP, which is the renovation, repair and painting rule as it applies to properties that have property management firms and companies that are offering to claim that they're performing regulations without certification from EPA or RRP.

So just letting you know that EPA is now really trying to have compliance with RRP, so they are coming after property managers. You do want to make sure that as a PHA that your staff, if they are doing this type of work that they do have the proper training for RRP. In addition, if you're doing abatement, there need to be abatement workers, abatement supervisors, that type of thing.

If you do want to look at the article, we did provide the link here for you as well. All right. So this is a really high-level steps in lead-based paint compliance as a process. And like I said, we're going to go into more detail about all of these, but this is a really simple way to think about these different categories.

So first we're going to start off with disclosures. So disclosure is disclosing any known lead-based paint or lead-based hazards. This is when also would receive the protect your family from lead in your home pamphlet. You're also disclosing if you don't know if there's any lead. So that's all part of that first step of disclosure.

And then the second step is looking. We use the term evaluation in the Lead Safe Housing Rule and for Subpart L for looking we would do a paint inspection and a risk assessment. And then we're going to be treating.

So once any hazards are identified they need to be treated. For Subpart L it would be using abatement. If modernization is happening, if you need to wait until modernization, you could do interim controls until abatement. And so, you have modernization funds to do abatement.

And then you're going to be clearing. So clearance is done after lead hazard work has been performed. This is -- has two different parts where there's a visual to make sure there's still no dust, debris or hazards around and then there's going to be dust sampling that occurs.

And then after clearance we're going to be telling. And so, we'll be using this term notification. So we have to notify residents in writing where lead hazards were found and there's also a separate notification of how they were treated. And we'll go into that and show you some samples.

And then we have maintenance or maintaining. So we have ongoing requirements because of the ongoing relationship between the program funding and the unit. And then we also have periodic re-evaluation. And we'll go into more detail about that, as well.

This is also a handout for you. It's a summary chart. Let's see. We have a lot of handouts. So this is what the handout looks like. We've put the same thing onto the slide here. And the chart really provides a summary of Lead Safe Housing Rule for Public Housing. We're going to refer to it during this session. It's a really high level of all the requirements.

And like I said, we're going to go into detail about each of these as we go through it. When I was working in my office, before we closed down for the pandemic, I'm still at home. If you got on early, you heard us talking about our new office opening. I actually had next to my wall these different summary charts.

So we have a different summary chart for each Subpart, and this is the one for L, for public housing. And I had it next to my desk and that's usually where I'd start when someone would call me or were providing TA or developing a product. that's the chart that I had in front of me. What are the steps? What do we need to make sure is happening?

And then I would go dive into the regulations or go find another resource or reference material. But this summary chart was really a good grounding for me. It's got everything in one little page and it's a really good place to start or to remind yourself of what exactly do we need to do.

So we mentioned disclosure. We got that up there. Our looking is our lead evaluation. We have our treatment here. We have our clear and tell. That's our notification. We have maintaining. And then down here, you see this term EBLL, elevated blood lead levels, that's what EBLL stands for.

We're going to talk a little bit about that at the end of today. But we are going to be training on EBLL in December for public housing. So if you haven't signed up yet, I know the registration materials were just released either Thursday or Friday of last week. So go and check your e-mail and hopefully you will be able to attend the EBLL training that we have coming up.

All right. Everybody always wants to know who's going to pay for all of this and for Subpart L it is the Public Housing Authority. So they are responsible for any type of testing, that would be our lead inspection and our risk assessment. And any type of treatment, that will be our abatement if you're doing modernization. If you're not doing a modernization at this time, you can do interim controls. But it is the Public Housing Authority that's responsible for paying.

All right. So now we're going to go into our first step, disclosure. So disclosure rule applies when selling or leasing a pre-1978 unit. So we are focusing on leasing for these webinars. The PHA is required to disclose knowledge of all known lead-based paint and if the unit, when they rent it, they also need to be disclosing that.

So we're going to provide you with a really brief overview of disclosure requirements to comply with the Lead Safe Housing Rule. So I do have a handout. Where's my disclosure? Here's my disclosure handout. So if you're new to working in housing, if you're new to Lead Safe Housing Rule, this might be a good handout for you to look at. It provides you with some background of the disclosure law.

So disclosure has been in place since 1996 but this is some good background information for you. So I do have that handout for you. But the purpose of the disclosure rule is to provide information about lead-based paint and lead-based paint hazards and to share records and reports about any unit or common area that's servicing the unit and the common area.

So our common areas, these are our hallways, the laundry room, any exterior surfaces on the building, play area. So we're looking at the unit and the common areas. You'll also need to disclose if there's no knowledge of lead. So this applies to almost all pre-1978 for sale and rental units.

And like I said, we're dealing with rental units. And the PHA is going to be providing the pamphlet. This is the pamphlet, the Protect Your Family from Lead in Your Home. It's blue. It does come in multiple languages so you can check on HUD.gov/lead to get it. You can look on the EPA website. It is available in multiple languages if you need to have it that way. It provides a warning statement. And then we also need to be disclosing any known information.

And this has to be done before the contract is signed. So if you're renewing a lease and the PHA has new information about lead-based paint and lead-based paint hazards in that unit or common areas that are servicing that unit, we do need to provide a new disclosure notice to the tenant at lease renewal.

Okay. So there are a couple times when disclosure is exempt. This would be found at 24 CFR 35.82. This is in Subpart A. But the most relevant that we are going to be seeing for public

housing is perhaps this lead-based paint free or perhaps we have previously disclosed any type of lead-based paint knowledge.

So the first one, lead-based paint free, this is if it was found lead-based paint in the unit and the common areas were found lead-based paint free by a certified inspector. And this would have to be done under a federal certification program or under a federally accredited state or an Indian certification program. So that's one way.

The other way is if it was previously disclosed. So we had a tenant move in. We provided the disclosure notice. We said here's records of work that have been done before. We know that there was lead in the kitchen and we did work in the kitchen and here's the results of that. And the same family stays in that unit and we're at lease renewal and nothing has changed.

So we have not learned about any new lead hazards. Nothing has changed in the common areas. I do not need to provide another disclosure notice. So since it's been previously disclosed, that was last year and nothing has changed, I do not need to provide another one. So that's -- those green circles are the ones that are most common when it would be exempt.

We have these other ones on here just for your information. Sale of target housing, we're not talking about sales right now, or short-term leases. But again, not relevant to what we're working with today.

Okay. You want to make sure that you're using the correct form. It's a common violation for programs, PHAs, to use the wrong form. The form that you see here, this watch out for lead-based paint poisoning form is not the correct form. Okay. So we want to make sure that we are using the correct form, which I have on the next page.

So the correct form is the disclosing of information on lead-based paint and lead-based paint hazards. This is found on HUD and EPAs website. There's one for sale and there's one for rental housing.

So you want to make sure that you're downloading and using the correct form. Also, be aware that there are potential penalties if you're not using the right form or if you are using the right form but not filling it out correctly.

So there are 10 possible violations per disclosure form and each violation is subject to a \$19,507 penalty. So it could be almost \$195,000 penalty per lease transaction. So please be sure that your PHA is using the correct form and it's being completed correctly.

And then also if you are working in one of these states, so, you're working in Massachusetts, Rhode Island or DC, there are modified disclosure form language that needs to be used. So please, if you're in one of those states, double check to make sure that you are using the proper modified disclosure form.

So there are sections that are often not completed correctly. Some of the issues and problems that HUD often finds, one is around timing. So they see a lot of disclosure notices that are given after

lease signing. The disclosure notice needs to be provided before or at lease signing not after lease signing. So timing is really important.

HUD has also seen a lot of fraudulent signatures where the owner, the PHA is actually signing for the tenant. We need to make sure the tenant is signing for themselves. And then HUD has also seen where reports are not being disclosed or shared.

So it's also important for PHAs to be aware when there are children under six residing in the unit. This information is often gathered at application or yearly lease renewal. It's really going to help implement protocols if an elevated level child is identified in one of your units. And we'll talk about EBLL later.

We do have a resource here, what you could use to help keep track of children under six living in the units. For ongoing maintenance, it's also helpful to educate our tenants about how to live safely in a pre-1978 unit.

We want tenants to be on the lookout for any deteriorated paint. The PHA is required to instruct tenants to inform them of any deteriorated paint in the unit or in the common areas. And deteriorated paint, this is paint that's peeling, chipping, cracked, perhaps it's being rubbed off by friction such as a door jam, perhaps even a stair or window.

Also includes painted surfaces that are damaged by water or damp even if the paint is intact. So this is important for you to explain to the tenant what deteriorated paint is and who they should contact if they identify or see that happening in their unit or the common areas, remember our hallways or laundry rooms, or exteriors or play areas.

We can also make sure that they have a copy of the Protect Your Family from Lead in Your Home but ask them to reference that and go back and look at that because that can also help them learn about how to control dust and how to clean safely if there's any dust in the unit.

We have another resource here. All these resources can be found -- we have a link here for the toolkit and on Monday, I think it was either end of last week or beginning of this week we just completed the toolkit for Subpart L for public housing. So it's really excited about having that done. And a bunch of these resources you should go to the toolkit and see if any of these forms -- these sample forms might be helpful for you to help administer the programs.

All right. So here's the documentation requirements for the disclosure step. We want to make sure we have our disclosure form. We want to be checking for signatures. Make sure we're using the proper form.

Make sure the dates -- we want to have the disclosure form be provided at lease signing or before lease signing, not afterwards. There should be tenant instructions about reporting deteriorated paint and notifying the PHA about any children under six that are living in the unit.

All right. Now, we're going to do a real quick knowledge check. This should come up as a poll. Okay. Oops. That's the old one. There we go. Okay. Thank you, Cherita. So at lease renewal,

let's pretend the PHA needs to provide the disclosure notice again to the tenant. There has not been any changes to the household or the unit. So is this true or false.

So at lease renewal we need to provide the disclosure notice again to the tenant. There has not been any changes to the household or the unit. Is this true or false? All right. It looks like the poll has ended. Let's see how everybody did.

All right. Well, most of you got the answer correct. The correct answer is false. Okay. So if nothing has changed to the unit or the common areas servicing the unit, then the PHA does not need to provide a new disclosure notice. So the answer to this is false.

Les, is there any questions that came in that we should address before we move on to step two?

Les Warner: I think that just there was a comment, actually a question that came in in the comment or in the chat box about what if we have -- we talked about exemption goes away if we have a child at six or under who's expected to live in one of these otherwise exempt units.

So the question was, well, what about adoption. And so, my answer to this is that we're looking at what that household composition is going to be. And so, when there's an expected change to that household composition, then yes, that exemption would go away based on that new household member that is going to change being eligible for this exemption.

Kris Richmond: Yeah. And just to clarify -- I haven't seen the question come in, but the exemptions are only for properties that are exclusively for the elderly, exclusively for people with disabilities or zero-bedroom units.

So if you have just regular family public housing, it's still going to apply -- the Lead Safe Housing Rule applies regardless of whether there's a child living in that unit or not. These exclusions are only if your properties are exclusively for these different populations, for the elderly or persons with disabilities or zero-bedroom units.

Anything else, Les, that's come up?

Les Warner: No, I think that's it.

Kris Richmond: Okay. All right. Let me hand you the presenter. There you go.

Les Warner: All right. Thank you. So oh, and I'll turn on my camera. There we go. So Kris has been talking about the disclosure requirement, and so, really our first step. But now we're going to be talking about step two, which is evaluating the situation, the risk, lead risk here. So I'm going to go through the different methodologies that are available then we'll specifically be talking about for Subpart L what our requirements are.

So depending on the Subpart that you were working with, we might be requiring a visual assessment versus a paint inspection or a risk assessment. So I want to make sure the folks are familiar with each of those terms. And we'll be talking about under Subpart L, a couple of these.

So a visual assessment is where an inspector is going to be examining surface by surface, looking for evidence of deteriorated paint but also things like where we have unstable surfaces where we have chipping. Also looking for dust or other debris, which is visual evidence of the potential of a lead hazard. So with a visual assessment, we don't actually know if we have lead paint but we're looking for these visual indicators that there's a potential for that.

With a lead-based paint inspection we're going to go surface by surface and test and actually determine is this -- does this surface of the sub straights, does that include lead-based paint or is it simply a painted surface that does not include lead.

And so, our methods -- and we'll show you some examples a little bit later on this -- are using an XRF machine, which is essentially going to be x-raying the sub straight, the surfaces layers there to determine whether there's lead paint as part of that. We also could, actually, physically be removing a sample, cutting out a little sample and sending it off to a lab to be able to do an analysis. So that's a lead-based paint inspection.

And then our risk assessment is looking -- so, we've got something that's looking visually for the potential of hazards. We're doing paint testing to determine is it lead? Is it not lead? Then a risk assessment is identifying where we have actual lead-based paint hazards. And so that's though sampling the deteriorated paint, looking at dust, looking at bare soil. Water is not something that's included under this, but it is something that would be optional on that.

So let's talk more specifically about under Subpart L, what your requirements are going to be. So PHAs are required to do a lead inspection and a risk assessment, and this went in place in 2000. So there was then a requirement that full abatement be completed as part of modernization.

So depending on your units, if you've already gone through modernization and done full abatement, you may have lead free units. You may have lead safe units. So depending on that scenario, is going to depend on what's required.

So if you have a lead inspection and risk assessment on file, which was required as of 2000, and that was determined that your units are lead free, then you have no further evaluation that you're required to do. We are able to then document, I have lead free units.

I know in one of the trainings I did, we had a public housing agency that said for our one project that they had, this full lead inspection and risk assessment had been done. They had determined that the only thing that included lead in any of these units were the front doors. All front doors were replaced.

They had done clearance and they now had a certification that these units were including the common space were lead free. So they would have this information on file and no further lead evaluation would be required.

If you have the lead inspection and the risk assessment in place and units were not certified as lead-based paint free, then you're going to be required to continue to do a visual assessment. So

we're using that visual assessment to determine do we appear to have risks based on what we can visually see from that.

If we have the lead inspection and the risk assessment in place -- and actually, let me use my little marker here. So we're down here. And interim controls were conducted, so we didn't have abatement as part of a modernization, but we've implemented interim controls, then we're going to continue to do our visual assessment at unit turn over. So want to make sure that if the interim controls were done, that they continue to be functioning to control the lead hazard.

For those of you that maybe are coming into this property and you're looking in those files and even though this was supposed to have been done as of 2000, if you don't have those records in your file then you're going to need to do a lead inspection and a risk assessment on those units. And so, it's really depending on what do you have? What's been done to date? What you have in your files is going to be controlling what your next steps are here.

We are going to be talking about a little bit later, this re-evaluation of units. And so, you're going to hear more about that ongoing process to keep an eye on the status of these units.

So the evaluation methods, and we kind of talked through earlier about what these different options were, for lead-based paint inspection and risk assessment, we are going to be -- we mentioned that has to be required as of 2000.

And so, you either have that already in place or you're going to have that be completed. That would be a bi-annual re-evaluation. And we'll talk about that more a little bit later. And that has to be done by certified personnel.

So this isn't something that you could send out, let's say your property maintenance person who was not certified to be able to conduct a lead-based paint inspection and risk assessment. So we do need to be able to document that the individual that completed that has the appropriate credentials.

Now, when we talk about at either a tenant request or at unit turn over, when we're talking about this ongoing process for a visual assessment, that is something that will need to be done by someone that's certified, but that certification can be done on an online training.

So this is something that you could have your own staff go online, take the training, become certified to be able to conduct a visual assessment, and they would be able to complete that requirement for you.

There is -- we'll be mentioning a number of these resources at the end here but there is a log form to be uses and that's what this resource at the bottom here is. So that as the visual assessment was being completed, that they would be keeping a log of here's what I have looked at and here's what I am seeing.

Either that they are seeing no visually identified potential hazards or they are identifying in bedroom number two we are seeing dust or other debris on the floor. We're seeing chipping, peeling paint. And so, that would all be tracked as part of that log.

And then when we get into talking about addressing those potential hazards based on our visual assessment, that we would be tracking back to that log to then determine which of these surfaces need to be addressed as part of that. So really important to be able to track that information.

So other than when we are using a visual assessment and we're using our internal staff or we have more highly qualified certified individuals on our staff, a lot of us are going to be needing to hire that out to contract that out.

And so, you need to go through a request for proposal or request for qualifications process. And so, as part of doing that you would be requesting that they present their license and certification as part of their proposal. And this would be to complete work such as the risk assessment, the paint inspections clearance or a combination of those. And we have a link here for the HUD Guidelines about the criteria about the certification for each of these levels of inspection.

In some cases, as we mentioned, we may have property owners, managers, other staff that have attained that -- those qualifications. And so, we would be capturing those certifications in our files to be able to demonstrate that a properly certified individual completed those.

Some of the other resources that are available -- there is the EPA's home page. They maintain lists of certified renovation firms. So being able to identify if I need to contract out for this work, what are the firms that are in my area. And we'll show you an example of that search form in just a moment.

They also provide a link on their homepage for training providers. So you might be saying well, I have existing contractors that are willing to get the additional training, or I have staff that I want to go ahead and get the certification training for this. This would allow you to identify where is that training available to me in my area. So that's on the EPA's homepage.

Also, a couple of other things to note, in some states there is a state level of an RRP program. And so, in those cases you're going to want to go to those state agencies for information about certified renovation firms about training providers in that area.

Another resource to consider on this, in most communities you're going to have entitlement or state recipients that are operating CDBG and home programs and doing activities, completing activities that would trigger compliance with the Lead Safe Housing Rule. So in those cases, those grantees will already have identified certified contractors in your area.

They may not only have identified training providers but in some cases have training programs that they are sponsoring in the area. And so, by making contacts with those local grantees, they may be a good resource for you including, in some cases, having tracked the performance of some of the certified firms in the area and be able to give you some good information on that.

Another resource is if there is a HUD grantee receiving Lead-Based Paint Hazard Control grants, that they would then have working relationships with certified firms in your area and be able to provide similar resources. And so, we have a link here to help you identify if there are lead hazard control grantees in your area to be able to link with them on that.

So here's the sample from the EPA website to be able to then designate which of these things are you looking for. Are you looking for a certified contractor, renovator? Are you looking for our clearance, testing, dust sampling technicians? You can set the distance range that you're looking for, or state and be able to -- then be able to search on that.

So this is a quick way to be able to access those resources and identify that. So if you're issuing an RFP, RFQ and want to make sure that goes out to eligible bidders on that, this would be able - be a way, a resource to be able to identify some of those folks to solicit those responses from.

So when we're talking about a visual assessment, as we mentioned, they still need to be a trained personnel, but this is the case where we have an online assessment training and we provided the link here. This is something that is not difficult.

It's very available and so in a lot of cases we'll see property managers, public housing agencies that will have their own staff go ahead and get that certification so that they're able to complete the visual assessment.

Of course, we're going to want to keep records of that. I mentioned earlier about the visual assessment findings and resolution report. So we're tracking the information as we're completing that inspection. Anytime that we can take pictures that will be added to that record will be really helpful as part of that. And we're going to make sure that owners and occupants have that information provided to them.

So for lead-based paint inspection, this is where we talked about determining -- we're going to be testing paint and determining whether we actually have lead-based paint. This needs to be completed by a certified lead inspector or risk assessor. And so, again, this is going to be a surface-by-surface testing to determine whether we have lead-based paint present.

And so, as I mentioned, we may be using an XRF machine, which will give us a printout on each of these surfaces where we have chosen to test on what -- whether that building component includes lead and the level of that. It's not identifying hazards but it's simply identifying where there is the presence of lead paint.

So one of the things I think is really helpful, this is one of the new resources that I referenced earlier. A couple of new videos have recently been added to the resource list. And so, there is a video specifically taking you through a lead paint inspection.

And so, being able to see that process and how that would be conducted. I think it would be really helpful for folks that have not had that opportunity to personally participate in that. So I highly recommend taking a look at that if you have not. And be sharing that resource with others in your team. That would be helpful as part of that.

So I want to just talk a little bit about -- so, our regulations about the completion of the lead-based paint inspection are found in the EPA regulations -- that 24 CFR 35.1320. And so, this is where it is referencing the requirements for lead-based paint inspections and paint testing and that's either by state or tribal program.

There also is information that the EPA 40 CFR 745.227 -- and this lays out the protocol for our surface-by-surface inspection being completed by that certified lead-based paint inspector or risk assessor. It's good to know the regulatory reference on this.

So with our inspections that are being completed, we then have standards in place. So we're going to be talking late in this section about the completion of these inspections and when we determine that now we have brought those hazards down to -- or we found them to be at an acceptable level. Well, what are those standards that are in place?

And so, we're going to be looking at either micrograms per square foot or micrograms per gram, you'll see in some cases here, or micrograms per liter. And so, for -- when we're looking at dust, we're going to be -- we have different standards depending on where we are testing.

So for our carpeted floors our new level here is 10 micrograms per square foot. Same requirement for hard floors. And then for interior windowsills we have 100 micrograms per square foot is our standard. And you'll see we've listed here the old requirements versus the new requirements. And you see that they've become more stringent. So we have a lower level that is considered to be acceptable to be considered safe.

We also have separate standards in place for bare soil. And that would be whether it is a play area or a non-play area. So we may have a public housing property and we have a designated play area. We have some equipment there and we've got some bare soil.

And so, because children are going to have direct contact in that area, we want -- we have a lower threshold that's going to be acceptable. And so, that's 40 -- 400 parts per million of lead as part of that. And if we were looking at bare soil in a non-play area then we'd have 1200 parts per million on that.

All right. And then there is a separate -- we mentioned that water is something that is optional but there is a standard in place, and this is 20 parts per billion per liter is our standard for water on this.

I mentioned earlier that some of you may be in an EPA authorized state. And so, the EPA requirements are being implemented at the state level. And so, to find out if you are working in a state that is an EPA authorized state, we've provided this link to be able to look at.

And so, in those EPA authorized states, you may have a state level determined standard that might be stricter than this. So it would be important for folks, if you're not sure, to utilize this link to determine whether you happen to be working in one of the states where you have a more stringent level.

So I'm going to go ahead and we're going to finish up this section. We have a few more slides and then we'll take a break, which you may be kind of feeling ready for. All right. So let's talk a little bit about a risk assessment.

So we said that the paint testing is identifying the presence of lead. A risk assessment then is determining whether we have the presence of lead-based paint, where we have a hazard that's created by that. And it needs to be completed by a certified risk assessor.

So it's a combination of a visual assessment that's looking for where we have deteriorated paint surfaces, where we have evidence of dust or other debris, where we're looking -- where we have friction impact surfaces that have deteriorated paint. But it's also then combined with having lead-based paint testing that has been done to determine where we have lead-based paint.

It's also looking into some of the physical characteristics of that dwelling. How the occupant is using that. And particularly focused on where those causes are for the lead-based paint exposure for children under the age of six.

You know, in some cases, and we'll be -- Kris is going to be talking briefly near the end of this training about where we have children that are identified with elevated blood lead levels. In some cases, we determined that it's not actually where they live but it's somewhere else that they have exposure.

Maybe they're after school staying at Grandma's house and that's where the lead-based paint exposure is. Sometimes it's other products or items that are present in that house other than the lead-based paint. So we're trying to figure out what's creating a potential hazard for children as part of that.

So we're going to do a visual assessment. We're testing for the presence of lead where we have impacted surfaces. We're going to be also doing dust and soil sample as part of that. And again, there's a new resource.

A lead-based paint risk assessment video, which walks you through that process. I think it will be really helpful for folks to be able to see that actually happening to kind of understand that process a little bit more. A lot of us are visual learners and that may be very helpful for folks.

So I mentioned before about the XRF machine. And I think that's probably the most common way that people are testing for the presence. So you can see it's a handheld device. It's essentially X-raying that sub straight and determining with all those layers, whether we have lead as part of that process.

And so, it's actually creating then a report for each of those test sites. So we're going to be tracking where each of our tests have been made. And it will provide us with numerical information about whether that surface includes lead.

Again, there's a really helpful new video that's now available on the HUD Exchange about this. And this -- we have a link here. We have a link included on our resource list at the end of this section.

I mentioned that our alternative to using the XRF machine would be, actually, physically be taking, cutting samples out and sending them off to a lab. So for the most part we're going to be either we would have, as a grantee or property, would have an XRF device and certified personnel. Or we're going to hire someone to complete that for us.

So our risk assessment report that's going to be generated from this will provide information about the inspection methodology that was using. So basic information about the property. And then we'll include the results of each of our, not only our visual assessment but our paint testing, to determine where we have decided that we have lead hazards that have been identified.

And then we'll also include then a lead hazard control plan. So when we talk about doing work to remediate or reduce those identified lead hazards, we're going to be looking to that lead hazard control plan to identify what the appropriate steps would be to be taken on that.

So an important component of that. And that will include all of either the laboratory information or the data that was produced by our XRF machine to be able to document with each of our sampling methodologies, what was found in each one of those sites. That becomes part of this.

Where are our lead hazards and then determining what our lead hazard control plan is going to be, which will eventually translate into a scope of work when we're hiring someone to make those corrections for us.

There is a risk assessment report checklist, which would be helpful to make sure that all of the required elements that we need to be included in that risk assessment report are in place on that. And so, I would just reference you to that resource.

So there is a -- then a sample report. We talked about after that lead hazard evaluation has been completed by a certified person that we need to make sure that we're going to provide a notice on that lead hazard evaluation that's been completed. That needs to go to our occupants within 15 days after the point that you've received the results back. So we need to have a process in place to make sure that that's done in a timely manner.

We have a couple of options on how we would provide that. We could provide a notice directly to each of the households or you could post it in a central location where residents would be able to access that. So if we have residents that are coming through a central lobby, maybe to get their mail, access elevators, we could post it there. Maybe post it in individual lobbies for individual buildings depending on how our property was configured.

And we need to make sure that those notices and reports are made available to residents if they request. So if they want to see the full report, they would be able to review that. That becomes a public document for them. So again, we need to provide that notice within 15 days after we have

received back our test results. And we've provided a link here at the bottom for a sample lead hazard evaluation notice to be used to be able to complete that notification process.

So before we take our break, just to review the documentation we would expect to have in place as completion of this step. We need to make sure that we have collected the documentation that each of our personnel that were completing any of these evaluation.

Whether it was a visual assessment, whether it was paint testing, whether it was a risk assessment, we need to have their certification in place as part of that along with all of their test results, their logs, that were completed as part of that. So that we have full documentation on not only the process that we went through and who did it but also, what we found as a result of that.

And then our last, key thing is we need to make sure that then our lead hazard evaluation notice has been provided and we want to be able to -- for compliance, be able to see, okay, our report was received on the 15th of the month so within 15 days that lead hazard evaluation notice went out to our occupants and documentation of it either went to individuals or it was posted and be able to document that.

All right. So before we go into step three, I'm going to suggest we take a 10-minute break. I have that it is 25 after the hour. So if we can -- and this is eastern time -- if we can be back at 2:35 then we'll jump into talking about lead hazard reduction activities.

Go. All right. So hope folks had a good, quick break. I wish I could share. We had not one single trick or treat, so I have an over abundance of candy. I could get everyone sugared up pretty quickly here.

All right. So we've been talking about the evaluation process. Now, that we've completed the evaluation then we're moving to step three and talking about well, how are we going to treat this, our lead based paint hazard reduction requirements.

And so, I want to first start by talking about the different methodologies that could be utilized. And then we'll specifically talk about under Subpart L, what the requirements are going to be. So our options are paint stabilization.

And this is simply dealing with the particular identified surface that's deteriorated and removing any loose paint, repairing the sub straight on that and then repainting it to stabilize that surface. We're going to be talking about under Subpart L, interim controls and abatement.

And so, under interim controls, this is a set of measures that would be used to temporarily reduce the exposure, the hazard from the presence of lead-based paint hazards. And we'll talk a little bit more in detail, but this is essentially -- this could include things such as dealing with -- let's see.

I've got a good note here somewhere on -- this could be dealing with repairing, painting, some kind of contemporary containment that would be done. It would also include things like specialized cleaning and clearance to be able to manage any hazards that have been found to be present as part of that.

And then our most permanent option here is full abatement. So we're going to do a set of measures based on what the hazard is to permanently eliminate that lead-based paint hazard. Now, I just want to caution. I think sometimes folks will assume when we talk abatement that all lead has been removed. It may be that we have done a permanent fix to protect.

So we might be, hey, we're going to drywall over top something. So we would be permanently encasing that, but we may not have actually removed the lead-based paint. Hence, when we were talking earlier about a difference between lead safe versus lead free. And sometimes we're going to be looking at this seeing a combination of interim controls and abatement that's being done.

All right. So for public housing, as Kris introduced when we looked at, I believe this form, when we talked about lead hazard reduction, we mentioned that as part of modernization that full abatement would be done. But until that's been completed then interim controls would be used in the meantime. And so, those are our options here that we're going to be talking about for Subpart L.

So when we're not doing a modernization, when we don't have the funds available to do that full abatement, then we would be doing interim controls, stabilizing paint surfaces, cleaning, removing any dust, ongoing preventative maintenance, trying to treat friction surfaces impact surfaces, doing things like covering their soil so that we're protecting children in play areas.

So we're not removing the lead but we're taking a series of actions that would temporarily protect from that exposure. This all needs to be completed by a certified RRP contractor and renovator. If we're doing abatement this would require a certified abatement workers and an abatement contractor and supervisor.

So depending on the level of work that's being done will determine the level of certification and training that would need to be in place. Our end goal for Subpart L is to do full abatement as part of overall modernization. And so, as those funds are available, this would be removal of the lead-based paint and dust hazards. It could be permanent enclosure encapsulation.

Maybe it would include replacement. And so, like I reference the property that it was the front doors. All included lead. All of those doors and the frames were replaced and that created a permanent fix by removing. That property then became a lead-free property.

As part of that, we're going to do all the needed preparations, which would include proper clean up, disposal of any of the materials, the dust, the residue that's being generated as part of that work. And then we're going to be talking very shortly here about clearance testing.

So at the completion of all of these hazard reduction activities, we're going to be doing clearance testing to make sure that we now have brought those levels of lead hazard down to an acceptable level and we're able to document that. So this will all be completed by a certified abatement workers, contractors, supervisors. Our clearance testing would be done by certified clearance testers also.

So as part of this, you're going to have to have a process in place to make sure that you can document that the contractor that's been selected has appropriate qualifications and certifications in place.

So if you're doing an RFP, RFQ, if you are doing procurement on this, you're going to specify the standard certification that would need to be in place. And that would be part of the submitted bid packets and would be part of your review in determining who is responsive and responsible bidder to be able to be awarded this work. So you would capture that information as part of your bidding process and make sure that that was held in your files.

In some cases, folks will have a pre-qualified contractor list. And so, many programs -- and we mentioned you might be talking with CBG or home grantees or Lead Hazard Control grantees -- they often times will go through an annual contractor qualification process so they would have a bidder pool that was identified that they already had documentation of these contractors being pre-qualified.

And then their solicitations would go out specifically to that pool of certified contractors. So we need to make sure that they have that training and certification in place. It doesn't really matter under the EPA rule whether -- what funding source. This applies to all pre-1978 housing and also child occupied facilities.

Specifically for Subpart L we're going to be talking about triggering the HUD Lead Safe Housing Rule, but these certification requirements are part of the EPA rule. So as part of the requirements under the RRP rule, renovation, repair and paint rule, contractors are required to provide a disclosure.

So this is a requirement that applies to the contractor. And so, as part of the requirement they need to have their firm certified by the EPA or we talked about in some instances we would have an EPA authorized state. And so, to do that they would need to go through training with an EPA approved training provider.

They're always going to need to follow Lead Safe Work Practices, which we're going to be talking about a little bit later. But they also are required to provide a Renovate Right pamphlet. And we've got a visual here of that. And there are civil penalties in place of \$41,056 per unit in place if they fail to do that.

So if we look at our summary chart here, we'll notice that we talk about, on the EPA requirement that providing the Renovate Right pamphlet is one of those requirements that does apply here.

All right. And so, again, if we're looking for a certified renovation firm, we're looking for training programs, we have references for the EPA site. In some cases, as we mentioned and we gave you a link earlier, you might be in a state where there's a state EPA program. And then you're going to be following to the state EPA site for those references for your area.

All right. So wanted to just talk a little bit about some of the planning requirements on this and kind of point out differences between the Lead Safe Housing Rule and the RRP. So for Lead

Safe Housing Rule -- and we're going to see generally that the Lead Safe Housing Rule is going to be more stringent.

So Lead Safe Housing Rule on our evaluation process is going to require either a lead-based paint inspector or a risk assessor as part of this. Whereas the EPA rule is less stringent and will allow a certified renovator to use a test kit, which is essentially a little dabber, which would turn a color to indicate the presence of lead.

That's not allowable under the Lead Safe Housing Rule when we have paint testing or risk assessment that's going to be required. We also have training requirements. Again, there's a little bit more flexibility under the EPA requirements. We have to have at least workers and supervisors have completed the Lead Safe Work Practice training curriculum.

The firm itself needs to be certified under the HUD Lead Safe Housing Rule. We need to have at least a certified renovator be on that job and available when the work is being done. Now, we could have non-certified renovation workers getting on the job training if there's an onsite supervisor that is a certified lead-based paint abatement supervisor, who's also certified as a renovator.

And so, this is our flexibility, but these requirements are a bit more stringent than under the EPA. We have -- we've talked about this issue of on pre-renovation on following the EPA's pre-renovation education rule that applies for both EPA and Lead Safe Housing Rule triggering on this. So our treating of the lead-based paint hazards, as we've been referencing for the Lead Safe Housing Rule is going to be determined by the activity that you're completing.

And so, for today we're talking specifically about Subpart L for public housing but as we mentioned if you were doing tenant base rental assistance, if you were actually doing renovation, you could be under Subpart J. So it's going to be depending on what the specific Subpart is that applies to the type of activity. And that will then set the level of evaluation and treatment that would be required on that.

The EPA rule is really setting in place that they have to follow lead safe work practices. So we're trying to make sure -- and really the goal of the EPA rule is to try to make sure that as renovators are working, doing renovation, repair or painting, that they're working in a lead safe manner. So they're not actually generating a lead hazard based on the way they're working.

So here's another key difference between EPA and Lead Safe Housing Rule. We have a list of prohibited work practices under both requirements, but HUD has three additional ones. So EPA prohibits open flame burning or torching to remove paint, using heat guns that are above 1100 degrees or using some kind of machine removal, grinding or sanding that's without a HEPA vac attachment. So controlling any dust that's being generated.

But in addition to those, HUD also has a prohibited prohibition on using a heat gun where we're going to char that paint surface or any kind of dry scraping or sanding or use of a volatile stripper in a poorly ventilated space. So we want to make sure that as we're contracting with our -- for

remediation work to be done, that our contractor understands this is a project that triggers the Lead Safe Housing Rule.

So in this case I need to follow and make sure that they know that there are six work practices that are prohibited not just the three that they might be used to for other projects that were not triggering Lead Safe Housing Rule.

As we mentioned earlier, our de minimis levels are a bit different between our EPA and our Lead Safe Housing Rule. And then when we talk about clearance testing, which we're going to be talking about next year, the Lead Safe Housing Rule requires that this clearance examination be done by a third party. So someone that's independent from having completed that work so that they can certify that, yes, the hazards have been brought down to an allowable level on this.

Where the EPA would allow the renovator themselves to actually be doing a determination on this. So it's not requiring sending off sample to a lab and having a third party ruling on this. And then EPA doesn't have any requirements about notifying residents.

We know with our Lead Safe Housing Rule that we have a 15-day requirement of distributing those notices to occupants and owners to make sure that they've been kept aware of not only our testing results but then at the completion of our lead hazard control activities as they've been completed.

So when we talk about abatement and who's going to complete the abatement, we need to make sure we have certified contractors and supervisors in place. And they're going to be either completely removing lead-based paint or they're going to put -- when we talk about permanent control so it would have at least a 20-year life expectancy.

So some kind of encapsulation or containment that has a long-term life expectancy on this. And part of our ongoing maintenance requirements when it's not lead free is to make sure that any of these treatments or controls that have been done haven't been damaged in some way.

So they continue to function to control that hazard. And that includes things, when we talked about where we have lead contaminated soil. Where we might be removing it. We might be permanently covering it, so we contain that exposure.

We talked a little bit about Lead Safe Work Practices already, but our key here is that we want to control any dust or debris that's being created by the work that we're completing. So we talked about the prohibition on dry scraping, sanding, grinding, that's not with a HEPA attachment as part of that. We want to make sure that not only up front that we are laying out the protocols and making sure that our contractors will be following our Lead Safe Work Practices.

We're going to talking in a moment about not only worker protection but also protecting the occupants of those units. And so, talking about how do we plan that work site to make sure that we're going to contain any hazards that are created and that's not going to be tracked in or blown into other areas of that unit.

So things like cordoning off, taping off areas. Taping off the HVAC system so we don't want our return system to suck in our lead dust that we're generating while we're working and then distribute it to the rest of that unit. So we're trying to make sure that we're limiting that cross contamination. And that may include things like limiting access if we have an occupied unit.

And so, we're going to be talking in a moment about sometimes we need to re-locate the occupants of that unit. And we're always going to be cleaning affectively on that. So usually talking about working wet, cleaning wet, using a HEPA vac so we're getting all the particulate as part of that. And then we're going to follow that with doing our third-party clearance and notification on that.

Again, we've got a resource here to identify where there are RRP training providers that are in your area. All of this needs to be documented within your files. So some of the key resources on that -- we mentioned about the Renovate Right brochure, very helpful. And I actually found it to be very interesting read even though years ago I went through some of this training. If you're not familiar with that, I would suggest that you take a look at that.

We're going to be talking about some of our resources. So in the HUD guidelines there are chapters specifically about each of our key steps in dealing with lead paint. And so chapter eight specifically addresses resident protections, how to set up and plan that work site to be able to protect workers and also occupants.

But there also are a series of interpretive guidance. So topic by topic those are set up and those are really helpful to folks. That's something that I think Kris and I both go back to and read through those. So some specific ones we just calling out here. S4, which is talking about lead safe units.

There is an interpretive guidance about interim clearance. So we might have a project where our lead hazard reduction work maybe is being done by certified contractor and then maybe we're having -- after they've completed their work done and initial an interim clearance, having another contractor do some other improvements in that area.

And this is talking about the process of getting an interim clearance before we allow anyone else into that work area. We still will want to have a final clearance before we consider this project to be completed and ready for an occupant to be able to re-occupy that property. In sample forms there's a post work checklist, which I think will be useful in documenting that all of this has been completed appropriately.

So let's talk briefly about occupant protection. So we not only need to make sure that we protect the occupants if we're not able to do the work with them in the place safely. But we also have to think about their belongings. So if we have the occupant outside of this work area but we leave their possessions in that area and they become contaminated with lead dust that we're generating as part of that, we have created a lead hazard for that household.

So planning on the beginning of this project and thinking about where are our work areas. Can that occupant and their possessions remain in that unit. Maybe we can -- maybe our work is all

going to be let's say in a back bedroom. Can we allow them to occupy that unit. Move the possessions out of that particular room. Cordon that off. Seal it off. And not allow them to re-enter those spaces until we've not only completed the work but achieved clearance on that.

In some cases, for them to have a functional unit that's not going to be possible. So in some cases we may need to move them to a temporary unit. That unit needs to be lead safe. So either it needs to be a post 1978 unit, or we would have to create an evaluation of that temporary unit to make sure it was going to be lead safe.

And then before we allow them to re-occupy their original unit, we're going to have to do our clearance exam to make sure that it's free of hazards. So a lot of times we're going to see short term relocation where maybe we're going to be -- need them out of that unit for 24 or 48 hours while we're completing that work.

And so, in those cases, we may be able to give them a voucher and put them in a hotel or motel where they don't have cooking facilities and give them meal vouchers. If they're going to have to be out of that unit longer term, then we may need to put them into more of a rental unit and cover that.

So all of that would be part of our project cost and we would need to plan for that. Stage that to make sure that we're able to do that. So sometimes we might be shifting a few units at a time into vacant units on your property that you'd already determined to be lead safe as part of that. So some planning particularly on larger scale multi family projects on this.

So we have to relocate when we can't leave that tenant in that unit safely while we're going to complete the work and attain clearance. And so, if we're going to have a non-functional unit -- so, let's say they don't have access to kitchen or bathrooms, we would have to relocate them. If they need to be gone from that unit and it won't be functional for more than an eight-hour workday, then we're going to have to relocate.

Times that we don't have to relocate -- we might have a project that doesn't disturb any paint. We may have a project where we could do interior work in that one day eight-hour period and be able to finish it, get clearance, allow them to reoccupy. We may have projects where it's all on the exterior and we can seal off so there's no cross contamination from exterior to interior spaces and be allowed to leave them in place.

Keep in mind that that occupant will have to have safe occupancy or safe access to that unit. So thinking about what's my pathway in and out of that unit. Can we do that? Can that treatment be completed within a five-calendar day period.

And then lastly, if we have elderly occupants, if we have a signed consent form from the elderly occupant, they can waive their right to be relocated. There is interpretive guidance on that that we've provided a link here. And there is also guidance specifically that goes into quite a bit of detail on relocation, and I would recommend that you also take a look at that.

So there is a sample certification here about the completion of lead hazard reduction work certifying that they have protected occupants and their belongings that could be used as part of your documentation. We provided a link for that also.

So documentation that we would expect to see in that file, we need to have certification of all the personnel involved to make sure that they are appropriately certified. We're going to want to have a post work checklist documenting the lead hazard reduction activities, that it's been done in compliance with the Lead Safe Housing Practices.

Any time we have an occupied unit, being able to document that the occupant and their belongings were treated appropriately. And then documentation of your monitoring of the progress, any inspection notices, and that statement of work to document what has been completed.

So a lot of information but a lot of good resources that go into a lot more depth on each of these aspects. With that I'm going to turn things over to Kris.

Kris Richmond: Okay. Usually, you do this clearance part here, Les.

Les Warner: Oh, I'm sorry.

Kris Richmond: That's okay.

Les Warner: I will --

Kris Richmond: I usually start with tell but I can talk about clearance if you need me to.

Les Warner: I can do that. I have my little sticker in the wrong spot. So let me get -- you'll have to give me control back because I was speedy and had passed the ball to you. So as we mentioned, we are going to make sure that we complete clearance at the end of each of our projects. And so, I want to make sure we're on the -- Yep.

So we want to make sure that we have completed clearance to determine that yes, it's safe for them to reoccupy. And so, this is going to be completed, as we mentioned, by a third-party entity. So for abatement work it has to be completed by a risk assessor or a lead paint inspector. For non-abatement work we also could use a sampling technician if you have that in your area.

One of our keys here is that there can not be a conflict of interest. So unlike under the EPA, which would allow the contractor themselves to do the clearance inspection on that, we need to have a third-party. So they're making decisions about where they're going to sample on this. And so that third-party then will take those samples, send them to a lab and make a determination on this.

I mentioned earlier about interim clearance where we're going to have non-certified staff that's going to do other work after the lead work had been completed. We would want to make sure the

interim clearance was done before those non-lead workers were allowed to enter that site but we're still going to do a final clearance at the end of that project.

So when we're doing clearance, I want to talk a little bit about what's involved in that. So again, we're going to do a visual assessment. So looking for -- first off, looking at our scope of work to make sure that everything that we had designated that needed to be completed as part of our hazard reduction plan has been completed from our visual assessment.

That all of the dust and debris, all of that has been cleaned up. and then we're going to take and dust sampling. And so, we'll have a series of samples throughout our work area. Those are going to be carefully labeled and sent off to a lab. And so, the lab will then determine on each of those samples whether they're coming back at an acceptable level.

So you can see a little visual here that we've got plastic tubes where our dust wipes are being captured, carefully labeled to link back to our report of where those samples were taken and then our test results will come back on each of those samples. So depending on those lab results, if they come back and say some of these are not now at acceptable levels, then those areas will have to be re-cleaned and then re-tested until they are determined to be at an acceptable level.

We will not consider this project complete. We will not be paying the contractor until we have acceptable clearance levels that have been met. And I will just note again that we've got a video that kind of walks you through that allows you to experience that. I would again recommend that you see that if you've not taken a look at that.

All right. So we mentioned that we're going to have dust wipes that are going to be collected, sent off to a lab. Their going to be following our dust clearance levels that we talked about earlier to determine whether that sample is considered to have passed the test so it's now at or below these clearance levels or whether we -- the response is that it has failed, and we have to have additional cleaning and re-testing to be done before we can consider that to be completed.

So we have to pass that clearance test in each of these sampling sites before we consider this to be a completed project. So the documentation that we're going to have in that file will be documentation, again, to make sure that the personnel who completed that clearance have appropriate certification in place.

We will have that clearance report. And so, in some cases if you have reports that are coming back and they're -- we have test areas that have not passed, we would then have evidence of re-testing and all of that would be captured until the point that we now have a final clearance on each our sampling sites that have been found to be within our acceptable parameters.

All right. So that brings us to talking about our ongoing -- or to our tell. So it looks like my -- some of my slides are in a different order.

Kris Richmond: I can talk about this now, Les, if you want to hand it over.

Les Warner: Okay. I'll do that.

Kris Richmond: Give you a little break.

Les Warner: Here you go.

Kris Richmond: Great. Thank you. All right. So now we can start talking about telling or what we more formally refer to in Lead Safe Housing Rules, notification. And so, we do have notification requirements after any abatement or interim control work is done. Really after any lead hazard reduction work is completed, we do need to provide a notice. So let's talk about what those are.

This slide really summarizes the contents of the notice lead hazard reduction activities, but it does need to be provided to the occupants within 15 days of the work being completed or when you're achieving clearance. All of these items listed on the left here, these are all required elements of the lead hazard reduction notice.

A couple to highlight, the type of treatment and where it was treated. What's the address? The phone number and the point of contact, if there's additional information that needs to be explained. As well as the location of any remaining lead-based paint surfaces. That's really helpful as well.

So here's a sample of a notice of lead hazard reduction activity form. We do provide a link here. This is -- will take you right to our toolkit. And as I mentioned earlier, we just updated the toolkit to include steps for public housing. So this sample includes all those regulatory requirements that we say on the last page, all those bullets of the items that had to be in there.

So PHAs can add more information and you can change the format, but you cannot take out any of the required elements. And then also, like we said, it does need to be provided within 15 days of completion of work in achieving clearance.

So here's a reminder of the documentation that's needed for the notification step after the work is completed. We do need a copy of the lead hazard reduction notice. You want to be checking to make sure it has all the required elements, that there's dates on there, proper signatures of the person who's put the notice together.

We also -- since now we know that there's a change to the unit and the common area servicing the unit, we would need to provide an updated disclosure notice. So we want to make sure that we have documentation of that that's being provided to the tenants at lease renewal. So again, that should have -- want to make sure it has recent dates on that, signatures of the tenant as well as disclosure of any reports now.

And remember when we did -- earlier we might have had to do lead inspection and a risk assessment, we also would have had to provide a notification for that evaluation. And so that would be a notice of evaluation. So that's given after the lead inspection and the risk assessment. So you would actually have two time that you would need to provide notification -- notification of evaluation and notification of lead hazard reduction activities.

All right. We're going to talk a little bit about ongoing maintenance and periodic re-evaluation. So unless all the lead-based paint has been removed, the unit must be maintained to be lead safe and it is also subject to periodic re-evaluation.

So we want to keep in mind that lead-based paint maintenance is not required when a lead inspection report indicates that there's no lead-based paint on the property or if the lead-based paint clearance report indicated that all the lead-based paint had been removed.

So if your property is lead free and you also have certification documentation to support that, you do not need to do ongoing maintenance and periodic re-evaluation. We are only doing this if there is still lead in the units.

So this slide is showing ongoing responsibility for ongoing maintenance. So in general, ongoing maintenance is about how to keep the units lead safe. So we're trying to figure out how to keep them lead safe.

We're going to be doing ongoing inspections. We're going to be watching for deterioration. We're going to be providing new disclosure notices if anything has changed and we need to do any work. Our records are really important because we need to share any type of records in our disclosure.

If you recall, we're having our tenants keep their eyes open for deteriorated paint and being able to identify that and let the PHA know if they see any new deteriorated paint in their units or the common areas. And we need to be treating that using interim controls. If there's any lead in the soil, that can also be treated with interim controls.

Safe work practices need to be followed using properly trained RRP renovators. If the deteriorated paint is found to be larger than the de minimis area. So remember that de minimis area was two square feet interior, 10 percent of a small component type or 20 square feet for exterior work.

So if we're doing maintenance or we identify an area that's become deteriorated and it's larger than our de minimis, then we need to be following lead safe work practices. The people that are doing that work need to be trained in RRP.

So an annual assessment is either going to be a visual assessment or a risk assessment depending on the year that it has to be conducted. And we're doing this to look for any failure of lead-based paint hazard reduction work or defective paint.

So remember Les had that slide of how we start. This is -- we did work. So we did work. We did lead hazard reduction work. We passed clearance. We've provided our updated disclosures. Now, it's a year after we've completed our lead hazard reduction work. So what do we do the first year?

Well, the first year, we are going to be doing a visual assessment. And remember that visual assessment is someone who's trained as a visual assessor. It's a free online training that's

available through HUD.gov. Anybody who has any general knowledge about properties can take it and pass it. You just need to keep the documentation that you have that certification.

And so, that needs to be done after the first year. Then the second year a full risk assessment needs to be conducted. And that risk assessment needs to be done by a certified risk assessor. Okay. So year two we're having -- we're hiring a risk assessor if we don't have one on staff who's certified to do a full risk assessment.

If during that risk assessment there are no hazards identified, in year three I can do a visual assessment. So again, we're going back to our visual assessor who has that free online training. They're doing the visual assessment in year three. And then in year four I do have to have a full risk assessment completed again.

So I either hire a risk assessor or my staff is trained as a risk assessor. And if no hazards are found in year two, in year four during those risk assessments then for the rest of the time, I'm allowed to just do visual assessments. Okay. So I'm allowed to do visual assessments moving forward if I pass year two and year four with those risk assessments.

Right. If for some reason it doesn't pass, then in year six I'm going to have to do a risk assessment again. But hopefully you have two consecutive times where -- and it's every other year -- two consecutive times where you passed that risk assessment. You don't identify any new hazards and then you can get to the maintenance part of just doing visual assessments. So that's the periodic re-evaluation that needs to happen.

All right. So here's a reminder of the documentation that's required for ongoing maintenance. We need to have reports of any new evaluations. So if we did a risk assessment, we need to have a copy of that risk assessment in there. A visual assessment -- and we would have documentation of visual assessment.

There's no formal report that's needed. There is a notice of evaluation that's done when we do a risk assessment. There's no equivalent formal HUD report for a visual assessment but it's a best practice to document that. So you want to have documentation of that.

You want to have reports of any hazard reduction that might needed to happen. Copy of clearance if you had to hire someone, an RRP to address any hazards that were identified. Get a clearance. Have copies of that as well. We would have certifications of people trained in RRP. And then we would need to update our disclosure notice if anything happened because we had to do new work.

All right. So now we're going to talk really briefly about elevated blood lead levels and their responses. So there was an amendment to the Lead Safe Housing Rule back in 2017. So we're actually five years now into this amendment. And it addressed elevated blood lead level responses for children in our HUD assisted units.

I'm going to go over very briefly what this is. I think I have three slides. But if you need more information immediately there is recorded training on elevated blood lead levels. We did do a training a couple years ago. That's available today on the HUD Exchange.

And we're also doing a repeat training of elevated blood lead levels for public housing on December 6th. And the registration was just sent out last week. Hopefully you saw that. If you didn't you can go to the HUD Exchange and go to the lead-based paint page and you can get to our training registration for that. But the EBLL training is going to be on December 6. So sign up for that and we're going to go into a lot more detail about EBLL in the EBLL course.

Right. So EBLL again, stands for elevated blood lead levels. And once a child has been reported with an EBLL there are a number of required steps that need to be followed. So you have to get verification, an environmental investigation needs to happen. An environmental investigation is a risk assessment with a number of additional requirements.

So it would include a family interview. It includes evaluating other locations that the child may spend time at. I remember Les was saying it's very possible the child did not become -- have an elevated blood lead level from the unit their living in.

It might be because they're at Grandma's house ever afternoon and Grandma's house might have lead-based paint. So the environmental investigation helps to figure out where the source of lead is happening.

If that unit the child is living in does -- is the reason why the child has an EBLL, then there are other actions that need to take place for other coverage units and those are units that have children under six living in them. We have a number of resources. This is a step by step resource here that's available on our toolkit. But let's -- we can go a little deeper into this.

So we have a couple key terms. The first is our index unit. That's the unit where the child with the elevated blood lead level is residing. And then we have other coverage units. And as I mentioned on the last slide, this is where in your property if there are other units with children under six living in those units or expected to live in those units and they're federally assisted units, those are considered other coverage units.

And then we have our designated party. And remember we talked about this pretty early on. The PHA is a designated party, which means they're responsible for complying with the Lead Safe Housing Rule and any EBLL requirements.

So this chart -- if you come to my other training on EBLL, we will spend two to three hours going through this and I'm going to spend just a couple minutes as a high level. But come to the other training and we'll go into a lot more detail about EBLL.

But how do we start? Well, first we need to find out -- we find out that a child with an elevated blood level is living in one of our units. There's a number of different ways that can happen. It might be the mom calling the front office saying I just took my kid to the doctor, and they told

me that my child has elevated blood lead level. They tested them and they have an elevated blood lead level.

So first we need -- the PHA needs to verify. And this can be calling, sending e-mails to the health provider, to the health department, wherever that testing was done. We do need to get verification. And that needs to be done as soon as possible. And then after -- and that can be done with a phone call. It can be done with an e-mail. You want to document that, so you have that in the files. That you've verified that the child actually has an elevated blood lead level.

Then we have to do initial notification of that confirmed case and you need to notify HUD Office of Lead Hazard Control and Healthy Homes. That's what OLHCHH stands for. So you need to notify the Office of Lead Hazard Control and Healthy Homes. Also need to notify the HUD field office as well as the public health department.

If the public health department was not the organization that did this testing they need to be contacted and notified as well. This needs to be done within five business days after verification. You're going to start to see as I go through this chart, some of these days are business days and some of them are calendar days. So it's just important to take note on this one is business days.

And then an environmental investigation of the index unit. Remember that's the unit where the child is living. An environmental investigation needs to happen. And so, that's going to include a risk assessor has to do that. They're going to be doing a risk assessment of that unit. They're going to be doing an interview, a family interview.

They're going to be testing other things that they see. Perhaps there's some type of cups or plates that the child's eating off of that might have some type of glaze that has lead in it. Maybe there's some kind of toys that have been imported from another country that the child has been putting in their mouth and maybe there's lead in that. So the environment investigation is trying to figure out where's the lead source.

And so, that needs to be done within 15 calendar days after verification. That is conducted by a risk assessor. It can also be done by the public health department. So if you have a health department that offers these -- offers to do an environmental investigation, then that is acceptable as well.

Then we need to do a notice to the resident. So we did the environmental investigation that included a risk assessment as well as other things. So we need to do a notice of evaluation. So that's going to be provided to the index unit tenants.

Now, if we find out that the index unit does not have lead in the unit then that's the end of our involvement in this situation. So we can document it. The child was not -- did not have EBLL because of our unit. That's documented and then the family will continue to work with the health department or whatever organization is working with them to try to figure out where that is happening.

If it is our unit that caused the child to have an EBLL, then we do need to continue on with these steps -- the further steps. So we need to make sure that lead hazard control is happening on the index unit. So that would be abatement if we have modernization funds. If we don't, we'd be doing interim control.

And then we need to do -- that needs to be done within 30 calendar days after the environmental investigation results. Then we need to do a risk assessment and lead hazard control on all of the other coverage units. So if there are other households with children under six living in our units, we need to do a risk assessment.

If we identify that there's lead in those units then lead hazard control needs to happen. We also need to do a notice of evaluation to all of those units where we did the risk assessment. That's between 30 and 60 calendar days. And that time period really depends on how large -- how many units you have.

So if you have less than 20 other coverage units, that needs to be done within 30 calendar days. If you -- a risk assessment needs to be done. If you have more than 20 coverage units, you have 60 calendar days to do that risk assessment.

And then the lead hazard control work needs to be completed. We need to do our clearance. After that happens, we need to provide the notice of lead hazard reduction activities, which is also providing the results of the clearance.

And then we need to notify the HUD field office with documentation that the activities are conducted, that are complete. That needs to be done within 10 business days of the deadline of each activity.

And then, like we just went over in the last module, we have ongoing maintenance. And so, ongoing maintenance, our first year would be a visual assessment. Our next year would be a risk assessment. The year after that would be a visual assessment then a risk assessment. If we continue to pass those two years of risk assessment, we can continue to do a visual assessment moving on.

So like I said, that's really quick. We do spend two to two and a half hours going over each of these steps and how you do that. We have sample of forms in the EBLL training. So hopefully you can attend the next training. If not, it is recorded and available to you today.

So there are a number of EBLL resources that are available. This is the training I was telling you about that we already taught. You would want to look at the public housing one. There was one that was done for tenant base for assistance as well. Here's the link for that.

Here are the interviews. Very excited about our interview for the environmental investigation. I just put the link in the chat box for that. So that video maybe has been up for a month, a month and a half. If you've never seen that, you're not sure what's going on during that family interview, it kind of gives you the highlights. And really sets the tone of how you want to try to approach that. Who's the best person to do that. What the requirements are as well.

And then there's a bunch of other video series that was done by public housing. So we have the links for those as well.

So documentation for EBLL. We need to have verification of the child with EBLL. That's the e-mail. It could be notes from a phone call just identifying who you spoke with. What the results were. A copy of the environmental investigation report that would be with the risk assessment.

Any notifications to residents of the EBLL, that's our index unit. They would receive a notice of evaluation after that EI had been conducted. If it was discovered that the child has EBLL because of our unit, we need to do risk assessment of all of our other coverage units that we would have copies of the risk assessment report.

We would have copies of the newest evaluation that were provided to all of our other coverage units, copies of clearance reports from work being done, copies of personnel who completed our lead hazard reduction work. A lot of documentation is required.

And like I said, in our toolkit, this is the module that you can go through in the toolkit, kind of walks you through step by step. If there's a child with an EBLL in your unit, what do you do? And so, you can go through these steps and there's some sample forms in there, as well.

So Les, is there any questions that have come up that we should discuss before we hop into the last section?

Les Warner: Actually, the question and answer has been pretty quiet. So I think we can go ahead and move forward.

Kris Richmond: Okay. All right. Let me hand this back to you.

Les Warner. Great. Thank you. All right. So in the remaining time, we're going to talk just a little bit about planning and thinking about staffing wise and the roles and the things that need to be covered. And then we're going to spend a little bit of time -- we've been throwing out a lot of resources as we go along, and we want to do just a quick review of those.

So I want to start by talking about program administration and monitoring. So first off, in sort of planning on this we need to think about the staffing that's going to be needed. So in some cases we talked about you might be contracting out for some of the testing, the evaluation, and work that's being completed.

So thinking about what am I going to handle internally versus externally. And then making sure that for any staffing of you or your partners that folks have appropriate training. So we're able to show that got a working knowledge based on what their role is on implementation of the Lead Safe Housing Rule and the EPA rule.

That they understand -- we've been talking about -- key definitions and steps and who needs to be certified at what level and the documentation that would be completed. So having appropriate

staff knowledge and some procedures in place. On that will be really important including, you know, we've been identifying in each of these areas.

Okay, this is the documentation that needs to be collected from this stage. Thinking about when will that be available? Who's responsible for capturing that? Making sure that we've got a plan so that this will go smoothly.

We talked quite a bit about Lead Safe Work Practices and now, we're not only on the front end of a project going to be specifying within bid packets, contracts, talking about making sure that contractors understand that they need to follow Lead Safe Work Practices. But also, we need to have some oversight to make sure that that's actually being implemented as required.

So some intermittent visits to the site. Using videos or pictures as part of that. Just to make sure that this is actually being implemented as planned and folks are following those requirements. And so, we've been talking about de minimis requirements or what things would be exempt. So we need to have those standards in place.

And there's really nothing short of -- there's nothing better, I guess, than being able to have someone do an on-site inspection. Even just being able to see a video or pictures of that worksite while that project is going on to be able to double check that yes it appears that they've prepared that worksite appropriately.

That there's the presence of the equipment that we would expect to see. That workers are wearing protective gear. That we don't see the occupant's possessions in the middle of the worksite. Those sorts of things. So making sure that what we planned for this is actually being implemented.

And that includes, as we talked about, on occupant protection. So really key on the front end of each of these undertakings is to then determine, can that tenant continue to occupy that unit? Do we have -- if they're going to remain, do we have a plan in place on how that work area is going to be sealed off from the rest of the unit? How we will protect or re-locate the occupant's belongings on that.

And then making sure that we have a clear process in place about what steps have to be completed including clearance, before we even allow that occupant to re-occupy that space. And I will say from my own experience, I had some projects in the past where we thought that by cordoning off -- sealing off a work area, that that was going to be workable.

And then having contractors report that when they arrived at the worksite on a morning, that it was very clear that the occupants of the unit had gone into the sealed work area. So kind of, deciding when do we think this is a best practice to temporarily move someone rather than try to work with keeping them on site.

And being able to verify that what our plan of action that was put in place has actually been followed. And so, as part of this, you as the recipient of the funds, always have this oversight responsibility to make sure that things are being completed as needed. And so, being able to

document that you've had an appropriate level of due diligence to assess those projects to make sure that they were being completed as they were required.

That all of the steps are being completed and that we have appropriate documentation in place. And that takes some planning, some staffing thought, everyone being clear on what their roles and responsibilities are. And then thinking how do I best communicate all of this to all the other parties that are going to be involved in this and making sure they understand their role as well.

So ways to achieve that capacity, assessing what's your Lead Safe Housing Rule knowledge based on the roles that you, as the grantee, or subrecipients might be implementing. Making sure that all of those individuals have that appropriate level of knowledge. Or you have a plan in place to get them up to speed.

We talked about this issue of deciding on some of these key things like the evaluation and the treatment of will that be completed by internal staff or will that be completed by an outside party. So if we're going to hire our inspectors, risk assessors, if we're going to hire a third-party testing for clearance, we probably have to go through procurement on that.

And so, that's something we would want to go through in advance so at the point that we needed to complete those steps that we were able to do that in a timely manner. Kris went through very briefly the process with working with an EBLL, a child with an elevated blood lead level, and she was reviewing that there's some very specific timing requirements on that.

So be really critical to make sure that okay, if I have to complete a step within a specific time period, I won't have time at that point to go through procurement then. So having a plan of identifying what I need to go through procurement and having that done in advance.

And that would also include, we talked about things like visual assessments that staff could actually take the free online training and be certified. So determining who's going to do that, making sure that that was completed and capturing and keeping that current information about the certification in your files so that you're able to be -- able to document that.

And that would include -- we've already talked about this issue of oversight including temporary re-location and protection of the possessions of the occupants. So for owners and property managers, they need to be following the procedures that we've laid out on this. So we need to make sure that they are very clear on that.

And thinking about for your processing and payment on contractor invoices, what are the things that you are going to expect to be included in that. So not only are we going to want to see test results, but also if you want photographs to be included, if you're going to require that an onsite or video inspection be completed, laying out that process on that.

Anytime we can have a third-party monitor is going to be helpful whether that's you, whether that's someone you've hired working on behalf of your program, or your agency will be helpful on that.

And there is some information under the -- in the monitoring handbook for Lead Safe Housing Rule about -- I'm thinking about remote inspections because of Covid in recent years. We've been trying to then think about how can we do more -- have more oversight with perhaps not being able to be on site. And so that may be some adaptations you'll think about in planning for your oversight responsibilities.

As far as documentation on this, so, first of all it's the same for every pre-1978 property. So I think first thing would be in documenting how you've identified what is a pre-1978 property versus what has been determined to be exempt because it's a post-1978 property. I think most folks are using the county real estate auditor's website that will list out the construction date for properties.

Earlier, we're talking in 1930s or before, a structure, we often times don't have a very good accuracy in those, but I think for 1978 and more recent, I think most folks will find that their county databases are pretty accurate on that. And so, having some verification standard of how do I determine if this qualifies as a pre or post 1978 property.

So we've been talking about having appropriate certifications in place, being able to document in that Lead Safe Housing Rule compliance file for each of these key steps in compliance with Lead Safe Housing Rule to make sure that we've collected that appropriate documentation.

So we have a number of resources that we want to point out here. There's a checklist for project-based assistance. There's a checklist for depending on the level of funding on these and then also for tenant base rental assistance.

I think for a lot of folks, you probably already have your own file checklist and then thinking about can you integrate in the lead-based paint requirements that we've been highlighting as we go through this.

And in some cases, that's also thinking about where will that documentation be maintained? Will it be in the housing agency? Will it be at the property level and then you're going to be monitoring to make sure that that information is being held and maintained as part of that.

So planning for that documentation and then making sure that all parties involved understand what your standards are, what you expect to see at the end of that project in that file will help avoid maybe some ugly surprises at the end of the project.

All right. So let's finish up by talking a little bit about available resources. We've been kind of throwing a lot at you. So the HUD Exchange lead-based paint landing page is kind of the go to spot where I think everything that we've been talking about will be found. And so, this is what the landing page looks like. And we have the link at the bottom of this slide that will take you directly to that.

So I would think a lot of you are going to have that saved as a favorite. You can click on it and go to that. But we want to highlight a couple of things that you're seeing on this page and look at them specifically.

So first off, there is a Lead Safe Housing Rule toolkit. It has been updated, I think within the last year and a bunch of forms that have been updated. A bunch of additions to that. So for most of the things that we've been talking about, we've been calling out there's a sample form to be able to use for a notice. There are checklists.

There are if I'm doing a visual assessment and I need to be able to capture a log of all the things that I have observed as part of my visual assessment where were they? What did I see? There are sample forms and tools to be able to use as part of that.

So if you've not spent some time in recent years looking at this, I would really recommend, this is a really good go to spot for things that you're going to need to be able to document and capture the information. A lot of this you don't have to re-invent the wheel. There's a sample form for that or other guidance that will be helpful to you. They can be customized based on your program needs but this will save you a lot of time.

Kris Richmond: And Les, if you can go back to that slide, too. I just want to let people know we had to get the materials for the training ready. So you don't see L on the screenshot, but L is now available and live on the toolkit. So you don't see it here. It jumps from J to M but it was released either on Friday or Monday. So hot of the presses the L information is available on here for you as well.

Les Warner: Great. Thank you. I'm not sure if everyone can actually read the fine print on that on their view or not but great call. Okay. And then wanted to mention, we've been calling out about some of these videos, which really is a new thing. I think a lot of folks having a visual introduction. You can hear Kris and I talk about this and have answers to questions. But I think being able to visually see the process will help you to understand more on this.

And so, this is a link to a number of the videos that we've been talking about that I think will be really helpful to you and staff, to subrecipients or other partners on this. So take that chance to look at -- take a little time to look at that if you haven't already.

And we also mentioned the program guidance on this. And so, chapter by chapter it walks you through, based on topic, really each of these key areas where you need some further technical guidance. Goes into a lot of detail on this.

And I would really recommend if you've not looked at that. And I think this would be something that folks on maybe a daily basis as you're working through things will reference back to this. That would also be when you're working with other partners to be able to link them to this. That will be, I think, very helpful for all involved on this. So really important resource.

And then we wanted to mention, I know we've been talking about a lot of these things being on the HUD Exchange, and we continue to have updates to this. So we really recommend -- I would assume a lot of you are registered on the HUD Exchange already, but you also have the ability, once you've registered on the HUD Exchange, to then designate the topics that you are interested in and wanting to be notified on.

So by clicking on Lead Safe Housing and Healthy Homes you would then be subscribed. And this is not, I think some folks think oh, I'm going to be inundated or overwhelmed, I don't think that'll be the case for you. But as new guidance comes out, as new materials or tools are being released, this would give you a notification that there was something new available to you on that.

So if you haven't either registered for the HUD Exchange or registered and selected your preference to be notified as there are updates, I would highly recommend that you do that. That will be, I think, a good tool to help keep you current on this.

As Kris mentioned, we have some EBLL, elevated blood lead level trainings that are coming up on November 15th if you were running a tenant based rental assistance program that there is a webinar and office hour that goes with that. More specifically, I think, for today's group would be the December 6 training.

So Kris walked you through in really record time the requirements for the steps that you are required to take with an EBLL child. And so, I think, many of you probably need to be up to speed on that and I would recommend you take the more detailed training particularly as you may have noticed in Kris's review of that, there's some very specific steps and very specific timelines that need to be completed.

And that longer training allows you to get more of those details as part of that. And as Kris mentioned, the registration is now open for December 6 and could be accessed on the HUD Exchange on the lead page.

And then, here is, I've got a couple of -- we've got a slide on resources. So we've mentioned on the HUD.gov it's the Healthy Homes Enforcement and Regulations page. Also, Kris has mentioned some of the Lead Safe Housing Training that has been completed. Those are also posted.

We have a link here for the EPA page. And so, we've mentioned a number of places where going to the EPA page is where you would be able to access identifying certified contractors, where you would be able to identify training that would be available in your area. And remember we provided a link for those state level EPA programs to determine whether you're in a state where that's being operated at the state level.

The interpretive guidance that we mentioned that's topic by topic that is really helpful in getting a little more in-depth guidance. I would recommend that you take a look at that. The lead-based paint page that we already identified here, the toolkit, the videos. And then there is a PIH notice that's listed specifically here.

I wanted to point out the last bullet point here is we have an office hour session tomorrow. We have a few minutes to try to take on any additional questions. But after this training series, as questions arise, and we do -- we are providing you a link to be able to send a question to the Office of Lead Houses and Health Homes.

So I think I would want to hold onto this e-mail address and that would be -- allow you to submit a question directly and seek further guidance on your case-by-case questions on that. All right. Kris, that gets us through our slides themselves. In the few minutes that we have remaining, do we have any questions that we want to go back over?

Kris Richmond: There really hasn't been too many questions. Did you talk about the homework?

Les Warner: No. And so, in the packet that folks would have been provided, there is an exercise for tomorrow's office hour. And so, we ask folks to take a look at that in advance. And really what we're trying to do, we're kind of trying to make sure that you're ready to be able to implement this and so we use the exercise as a way to kind of test that you're ready to apply what we've been talking about.

So I would really encourage you to go through that in advance and participate in tomorrow's office hour session. So we'll start tomorrow by going through that exercise. And then once we've completed the exercise, then we will address any questions that you have. And I think a lot of times people go to trainings, they're thinking about things after the training and then have some follow up questions as they're thinking about how things work.

Really encourage you to jot those down, bring them to tomorrow's session. And we'll also have gone through -- we have a log of all the questions that came in today and we take a look at that. Look for trends and things and we'll probably have some things targeted to re-visit and talk at little more length on where we think there might be common issues for folks.

Kris Richmond: Great. Well, I think we can probably let folks go and get another seven minutes back in their day, which is always helpful. So thank you, Les. Thank you Sherita for hosting us. Thank you for our HUD team.

We have Bruce Haber, Karen Griego, Flora Chavez, and Barrett Fischer that were available today as well. And appreciate all of our participants taking the time to attend today and learn more or review for this really important topic. And so, hopefully we'll see most of you tomorrow during our office hour. So have a great afternoon and we will see you tomorrow. Thanks. Bye.

Les Warner: Thanks everybody. Bye-bye.

(END)