

# Lead-Based Paint Regulations: Subpart J and K

Subpart K: Acquisition, Leasing, Supportive Services,  
and Operations

June 2022



# Trainers

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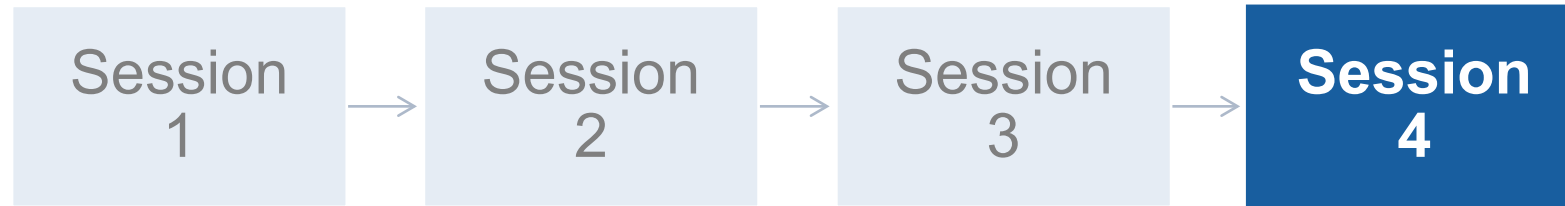
# Series Overview

# Webinar Series Format

- Four weekly sessions
  - Up to 2 hours
  - 1-hour Office Hours will occur on the day after the webinar to review homework and answer questions
- Session 1 was mandatory, then choice of remaining sessions
  - Participants administering operating programs/projects including rehabilitation should attend Sessions 1-3
  - Those administering programs without rehab but including leasing, operations, or homebuyer should attend Session 1 and Session 4
  - See the Agenda and Subpart J and K to determine what sessions you need
- Some participants may want to attend all four sessions
- Links of recordings will be available



# Webinar Series Agenda



- **Session 1**
  - LSHR Basics
  - Regulatory Subparts per Assistance Type
- **Session 2**
  - Subpart J: Rehab Requirements for Planning

- **Session 3**
  - Subpart J: Rehab Requirements for Construction and Clearance
- **Session 4**
  - Subpart K: Acquisition, Leasing, Support Services and Operation Programs



# Goals for this Training Session

- Gain a deeper understanding of the Federal Lead-Based Paint Regulations
- Determine the types of HUD assistance and/or HUD programs that trigger the requirements of Subpart K
- Review the key minimal documentation requirements (i.e., visual assessment, paint stabilization, notification) plus more stringent options
- Introduce key terms and program procedure recommendations
- Provide a tour of the available resources

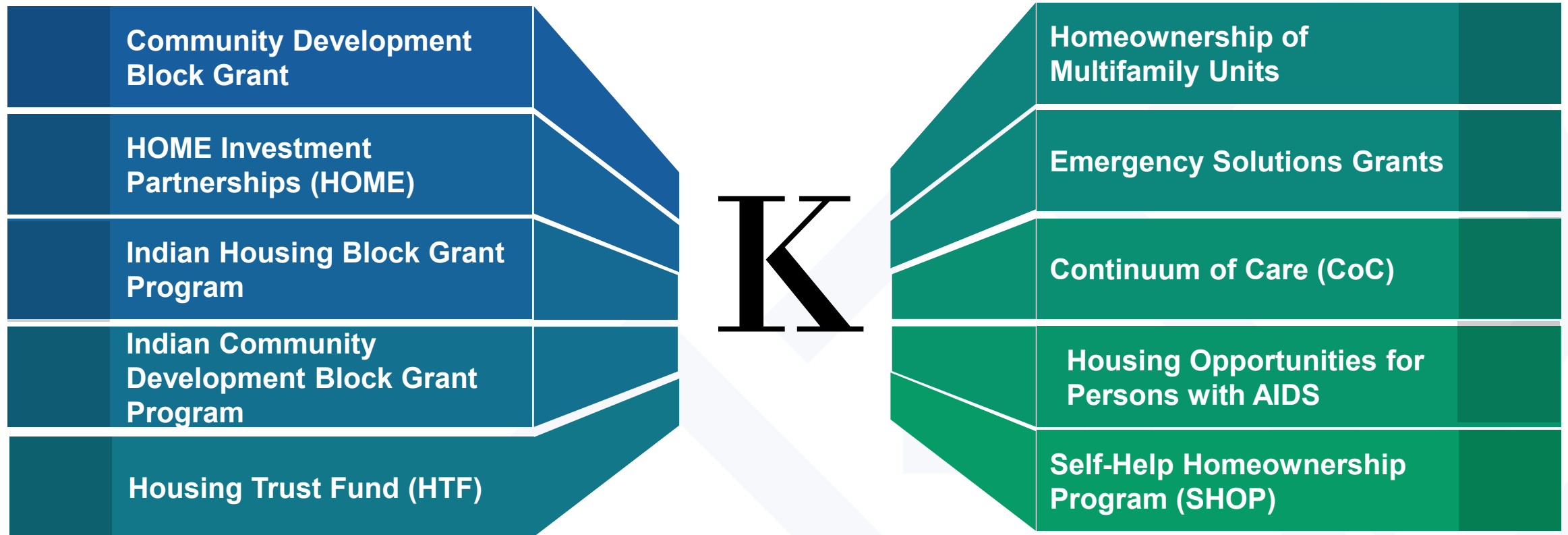


# Activities that Trigger LSHR by Subpart

Subpart	Type of Activity
<b>K</b>	HUD assisted residential properties when the assistance is <b>limited to:</b> acquisition, leasing, support services, or operation
<b>H</b>	HUD assistance for project-based
<b>M</b>	HUD assistance for tenant-based rental assistance
<b>J</b>	HUD assistance for acquisition and rehabilitation over \$5,000
<b>C</b>	Federal support solely in the form of mortgage insurance or sale of federally-owned housing



# Subpart K – Examples of Acquisition, Leasing, Support Services, and Operations Programs



\*Not an exhaustive list





# Lead Safe Housing Rule Applies **Except** When:

<b>Date</b>	Property constructed on or after January 1, 1978
<b>Zero and Single Bedroom Units</b>	Exemption does not apply if a child less than age 6 resides or is expected to reside in the dwelling unit
<b>Elderly and Persons with disabilities housing</b>	Housing for the elderly, or a residential property designated exclusively for persons with disabilities <ul style="list-style-type: none"><li>• Exemption does not apply if a child less than age 6 resides or is expected to reside in the dwelling unit</li></ul>
<b>LBP Free</b>	Properties found to be LBP free by an inspection, or where all LBP has been identified, removed, and clearance achieved

*Information from 24 CFR 35.115*



# Lead Safe Housing Rule Applies **Except** When (Cont.):

<b>Unoccupied to be demolished</b>	An unoccupied property that is to be demolished and remains unoccupied until demolition
<b>Emergency repairs</b>	Emergency repairs to protect life, health, safety or structure
<b>No paint disturbed</b>	Rehabilitation that does not disturb a painted surface
<b>Adverse weather</b>	Compliance with requirements for testing and remediation may be reasonably delayed due to adverse weather conditions <ul style="list-style-type: none"> <li>• Exterior work can be postponed until weather allows it</li> </ul>
<b>&lt; 100 days</b>	Subpart K requirements do not apply for emergency payments of less than 100 days duration <ul style="list-style-type: none"> <li>• Extension of assistance (Including CARES program) triggers full compliance</li> <li>• 100 days starts from payment moving forward (does not include payment days in arrears)</li> </ul>





**Basics**

# Key Steps in LSHR Compliance Process



## DISCLOSE

- Pamphlet, lead warning, knowledge



## LOOK

- Visual Assessment
- Test or presume



## TREAT

- Paint stabilization



## CLEAR

- Clearance



## TELL

- Notification to residents



## MAINTAIN

- Ongoing relationship--LBP maintenance
- Visual assessment

# Lead Disclosure Rules

## Subpart A

- Applies to almost all pre-1978 for sale and rental units
- Occupants and Buyers must receive:
  - Pamphlet
  - Proper disclosure form
  - **All known** information (LBP, evaluations, hazards, and remediation)
- Must be completed and signed copy retained **before** any contract is signed

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

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

**Lessor's Disclosure**

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

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

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

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

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

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

**Lessee's Acknowledgment (initial)**

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

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

**Agent's Acknowledgment (initial)**

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

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

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



## Protect Your Family From Lead in Your Home



June 2017



# Visual Assessment

## Visual Assessment – required for all units

- An inspection by a trained inspector to identify deteriorated paint, paint chips, dust and other debris
- Online HUD Visual Assessment training is recommended for all housing counselors and inspectors – Easy and Important!  
<https://apps.hud.gov/offices/lead/training/visualassessment/h00101.htm>
- Keep records (copy to buyers/occupants recommended)
- Documentation: [Visual Assessment Findings and Resolution Record](#)
  - Date of inspection
  - Document rooms and surfaces with deteriorated or damage paint in unit, common, and exterior areas
  - Consider taking pictures



# Limited Exemption from Lead Safe Work Practices and Clearance

- Rehab that **does not disturb** painted surfaces:
- Lead safe work practices are not required when minor maintenance or activities disturb painted surfaces that are less than de minimis\* levels:
  - 2 sq. ft. per interior space
  - 10% of small component type
  - 20 sq. ft. for exterior work

*\* Note: HUD de minimis levels are more protective than the EPA RRP guidelines*



# Subpart K Considerations

- If the Visual Assessment identifies deteriorated paint, it must be repaired (stabilized).
- If the area of paint to be disturbed exceeds the HUD de minimis, then certain requirements apply.
- The buyer/owner may test the paint and if no LBP is found proceed without further requirements OR
- May presume the presence of LBP and use qualified contractors following HUD protocols
  - More information on presumption in session 2





# Paint Stabilization Using Lead Safe Work Practices

- Paint stabilization means:
  - Removing loose paint and other material from the surface to be treated
  - Repairing any defects in the substrate of a painted surface causing paint to deteriorate
  - Applying a new protective coating or paint
- Safe Work Practices are detailed methods for:
  - Controlling dust, protecting occupants, segregating the work area and HVAC, and cleaning effectively
- Work wet, clean wet, clean with HEPA
- Must be followed by formal third-party Clearance inspection and Notice to residents



# EPA Renovation, Repair and Painting Rule (RRP)

Contractors performing projects that disturb lead-based paint in homes, childcare facilities and pre-schools built before 1978 must:

- Have their firm certified by EPA or an EPA authorized state
- Use certified renovators trained by EPA-approved training providers
- Follow lead-safe work practices
- Provide “Renovate Right” pamphlet
- VIOLATIONS: Civil Money Penalties \$41,056 /unit



# HUD LSHR More Stringent than RRP in Some Ways

- For applicable work, RRP contractors must be used, but HUD requirements must be met
- Contracts should specify both
- Key differences include:
  - The de minimis area exception for HUD is smaller than in RRP
  - HUD requires testing for paint using lab testing, an approved XRF, or paint chip testing, not the swabs allowed in RRP
  - HUD requires formal post-work Clearance inspection by approved third party
- HUD requires formal Notice to buyer/occupant

For details, view the [HUD's LSHR and EPA's RRP Comparison Chart](#)



# Clearance

- **Abatement** work - clearance must be performed by a certified risk assessor or lead-based paint inspector
- **Non-abatement** work - clearance can be done by a certified risk assessor or lead-based paint inspector or sampling technician (supervised and signed off by such)
- No conflict of interest
  - Clearance examiners are independent from hazard control, rehabilitation, or maintenance workers
  - May work for same firm that provides pre-work paint testing or risk assessment
- Includes:
  - Visual assessment to determine completion of work, absence of hazards
  - Dust sampling, (processed by accredited lab) to measure residual lead-dust levels
  - Interpretation of sampling results
  - Preparation of a report

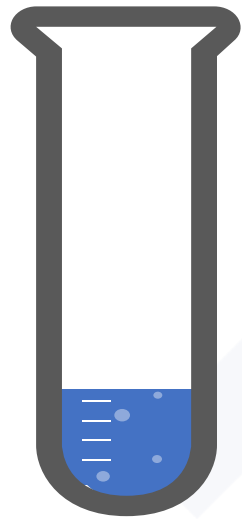


# Clearance (cont.)

- Dust wipe samples must be collected (by certified risk assessor/inspector or his/her clearance technician) and submitted to an accredited laboratory for analysis
- LBP hazard control is not complete until clearance testing is performed and passed

## Dust Clearance Levels

Carpeted Floors	10 $\mu\text{m}/\text{ft}^2$
Hard Floors	10 $\mu\text{m}/\text{ft}^2$
Interior Windowsills	100 $\mu\text{m}/\text{ft}^2$



Collected

Submitted

Passed testing

# Clearance (cont.)

- Occupants receive a [Notice of Lead Hazard Reduction](#) within 15 days of work completion
  - Contact information and date
  - Activities performed
  - LBP remaining, and
  - Clearance results
- If site fails:
  - Worksite must be re-cleaned and
  - Another clearance test conducted
  - Additional work may be needed if continued clearance failure

**Sample Notice of Lead Hazard Reduction**

Property Address: \_\_\_\_\_ Today's Date: \_\_\_\_\_

**Summary of the Hazard Reduction Activity:**

Start Date: \_\_\_\_\_ Completion Date: \_\_\_\_\_

**Location and type of activity.** (List the location and type of activity conducted or attach a copy of the summary page from the clearance report or the lead hazard scope of work providing this information.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date(s) of clearance testing: \_\_\_\_\_

Summary of results of clearance testing:

(a) \_\_\_\_\_ No clearance testing was performed.

(b) \_\_\_\_\_ Clearance testing showed clearance was achieved.

(c) \_\_\_\_\_ Clearance testing showed clearance was not achieved.

List any components with known lead-based paint that remain in the areas where activities were conducted. List the location of the component (e.g. kitchen-door, bedroom-windows).

\_\_\_\_\_

\_\_\_\_\_

**Person who prepared this summary notice**

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
(Give to Property Owner with work-write up)

If you have any questions about this summary, please contact \_\_\_\_\_ at \_\_\_\_\_



# Risk Assessors and LBP Inspectors

- **Lead-Based Paint Inspectors** may perform inspection and post-abatement and non-abatement clearance activities
- **Risk assessors** may perform inspection, post-abatement and non-abatement clearance, lead hazard screen, and risk assessment activities



# Finding Appropriate Firms and Individuals

- Some grantees and property owners/managers report they cannot find trainers, contractors, paint inspectors, risk assessors or clearance technicians they need
- Locate [Certified Renovation Firms](#) and [RRP Training Providers](#) from EPA's [Lead homepage](#)
  - Some states have their own RRP Programs
- Contact the [local entitlement \(CDBG/HOME\) grantee](#) for referrals
- Contact [Lead-Based Paint Hazard Control Grantees](#)





# Locate Certified Renovation and Lead Dust Sampling Technician Firms

## Find a Firm

To find your nearest EPA certified firm, first select the type of company you're looking for (renovator or evaluation), then please enter either a complete address, or a Zip Code, or a City and State.

### Discipline:

- Renovator  
 Dust Sampling Technician

AND

<https://cfpub.epa.gov/flpp/pub/index.cfm?do=main.firmSearch>

### Location:

Example:

- 123 Main St., Anytown, ME, 20460
- 20460
- Anytown, ME
- Maine

### Distance:

in miles

OR

### State:

Select a State

OR

### Firm Name:

OR

### Certification Number:

Example: NAT-1681-2

Search Firms



# Locate Renovation Repair and Painting Program Training Providers

## Find a Course

To find available training course(s), first select the course, discipline and language, then select a state, from/to date range, and discipline. Additional training may be available, use the "Find a Trainer" tool and contact trainers regarding other course offerings.

### Course:

- Initial  
 Refresher

### Discipline:

- Renovator  
 Dust Sampling Technician

<https://cfpub.epa.gov/flpp/pub/index.cfm?do=main.firmSearchAbatement>



### Location:

Example:

- 123 Main St., Anytown, ME, 20460
- 20460
- Anytown, ME
- Maine

### Distance:

in miles

\_\_\_\_\_ OR \_\_\_\_\_

### State:

\_\_\_\_\_ OR \_\_\_\_\_

### Firm Name:

\_\_\_\_\_ OR \_\_\_\_\_

### Certification Number:

Example: NAT-1681-2

**Search Firms**

# Ongoing Maintenance - If Ongoing Relationship

Maintain the unit and common areas lead safe for continued occupancy.\* Lead safe means no deteriorated lead paint or failed hazard control methods.

<b>Who</b>	Owner/Operator/Program
<b>What</b>	<ol style="list-style-type: none"><li>1. Ensures a trained visual assessor conducts regular visual <u>assessments</u></li><li>2. Responds to and clears new or deteriorated LBP hazards identified in the assessment</li><li>3. Repairs any failure of abatement methods such as encapsulation or enclosure controls</li><li>4. Written notice asking residents to report deteriorated paint and any failure of encapsulation or enclosure</li></ol>
<b>When</b>	Visual assessments at unit turnover and every twelve months, whichever is sooner

**\*Ongoing maintenance not required if LBP was completely removed**

**\*Not required for homebuyer or DPA**



# Knowledge Check

## 1. True or False?

A Risk Assessment is the required evaluation method for Subpart K.

## 2. Who can perform paint stabilization?

- a) PHA employee
- b) RRP Certified Contractor or Workers
- c) Any contractor working on the home





# Acquisition and Homebuyer Specifics

# Homebuyer Programs Affected

- Homeownership programs funded by:
  - HOME
  - CDBG
- Potential homeownership assistance programs:
  - Downpayment assistance
  - Closing cost assistance
  - Loan guarantee
  - Subsidized interest rates
  - Finance acquisition



# Which Subpart is Triggered?

## Subpart K

- Acquisition + Rehab **Up to and Including** \$5,000
- Subpart K provides more stringent requirements for rehab up to and including \$5,000
  - Lead hazard reduction: paint stabilization of **all** deteriorated painted surfaces and clearance before occupancy

## Subpart J

- Acquisition + Rehab **Over** \$5,000
- Risk Assessment, paint testing, interim controls, and LSWP on painted surfaces to be disturbed
- Sessions 2 & 3 covered rehab - see recordings



# Determining Level of Rehabilitation Assistance

**Level of Rehabilitation Assistance** determines the required approach to lead-based paint testing and lead hazard control measures

The amount of rehabilitation assistance is the **lesser** of two amounts:

Hard costs of rehab from **all sources** per unit (excludes soft costs and lead hazard control)

**OR**

Federal assistance for **all uses** per unit





# Level of Assistance Example

**Example:** A family is purchasing a home. They are receiving \$10,000 in assistance for down payment, closing costs, and rehabilitation costs. The hard costs of rehabilitation are \$4,500.

Hard costs of  
rehab from **all**  
**sources** per  
unit:  
**\$4,500**

Federal  
assistance for  
**all uses** per  
unit:  
**\$10,000**

The level of assistance is \$4,500. Subpart K is triggered.



# Acquisition/Homebuyer: Requirements

	Acquisition/Homebuyer
<b>Approach to Lead Hazard Evaluation and Reduction</b>	Identify and stabilize deteriorated paint (2)
<b>Pamphlet</b>	Yes
<b>Notification</b>	Yes
<b>Lead Hazard Evaluation</b>	Visual Assessment
<b>Lead Hazard Reduction</b>	Paint Stabilization Lead safe work practices Clearance
<b>Ongoing Maintenance</b>	Not provided in homebuyer programs
<b>EBLL Requirements</b>	No
<b>Options</b>	Test deteriorated paint; Use safe work practices only on lead-based paint surfaced



# Homebuyer: Key Actors

- Administering agencies
  - State, city and county governments
- Program grantees
  - City and county governments
  - Nonprofit organizations
- Staff and contractors
  - Counselors and intake staff
  - Inspectors and contractors
- Program participants
  - Homebuyers



# Homebuyer: Implementation

## Key Homebuyer Program Activities

1. Application
2. Home selection
3. Purchase contract
4. Home inspection
5. Purchase negotiation and address lead hazards
6. Closing
7. Post-purchase counseling



# Homebuyer: Implementation

## 1. Application

- Application process used to:
  - Determine basic eligibility
  - Provide information and education
  - Select applicants
- Provides an opportunity to:
  - Distribute the Protect Your Family from Lead in Your Home pamphlet and educate the potential homebuyer about requirements
- Consider adding a module on lead-based paint to the local counseling program



# Homebuyer: Implementation

## 2. Home Selection

- Lead hazard education as part of any counseling or orientation helps homebuyer identify and evaluate potential homes
- Final home approval by program depends on physical inspection for Decent Safe and Sanitary (DSS) and Visual Assessment!
  - Often not possible, but inspection by program ideally occurs before purchase contract is executed.
  - Contracts **MUST** include options for buyer to inspect and request repairs



# Homebuyer: Implementation

## 3. Purchase Contract

- Seller must provide disclosure statement, AND
- Homebuyer option to evaluate (risk assessment or paint testing) per Subpart A
- Buyer may also opt for just Visual Assessment
- If lead-based paint hazards are found the homebuyer can:
  - Withdraw from contract/select another home or
  - Renegotiate the contract
  - But, not necessarily without penalties
  - Options depend on the specific language in the contract
- Contract and/or Repair request should specify RRP, SWP and Clearance



# Homebuyer: Implementation

## 4. Home Inspection



- Inspection after offer is accepted
- Visual assessment for deteriorated paint in pre-1978 homes – **Trained Visual Assessor**
- Inspection report to homebuyer and agency
- Online HUD Visual Assessment training is recommended for all housing counselors and inspectors

<https://apps.hud.gov/offices/lead/training/visualassessment/h00101.htm>





# Homebuyer: Implementation

## 5. Purchase Negotiation and Addressing Lead Hazards

- Before purchase, lead hazards must be addressed:
  - Any painted surfaces that fail inspection must be stabilized.
  - Work must be performed by RRP trained or supervised workers
- [Sample Form: Checklist for Lead Hazard Reduction Activities](#)
- **After work, HUD-approved Clearance** – Must be Certified Third Party
  - Required before occupancy
- Homebuyer must receive Clearance and Notice of Lead Hazard Reduction activities.



# Homebuyer: Implementation

## 6. Closing

- Document receipt of the lead-based paint pamphlet
- See the toolkit form for residents at closing



**Protect Your Family From Lead in Your Home**

 United States Environmental Protection Agency

 United States Consumer Product Safety Commission

 United States Department of Housing and Urban Development

June 2017

# Homebuyer: Implementation

## 7. Post-purchase Counseling

- Helps reduce delinquency and default rates
- Educate about safe work practices (maintenance/repairs)





# **Leasing, Support Services, and Operations Specifics**

# Leasing, Support Services, and Operations Programs Affected

- Typically, these activities are found in special needs programs funded by:
  - CDBG, HOPWA, ESG, CoC
- Programs may include:
  - Acquisition or leasing of residential property
  - Support services and operations related to residential structures
- Special cases
  - For rehabilitation > \$5,000 (See Subpart J)
  - For tenant-based rental assistance (TBRA) (See Subpart M)



# LSSO Housing: Requirements

	Leasing, Support Services, and Operations
<b>Approach to Lead Hazard Evaluation and Reduction</b>	Identify and stabilize deteriorated paint
<b>Pamphlet</b>	Yes
<b>Notification</b>	Yes
<b>Lead Hazard Evaluation</b>	Visual Assessment
<b>Lead Hazard Reduction</b>	Paint Stabilization Safe work practices Clearance
<b>Ongoing Maintenance</b>	Yes, if ongoing assistance is provided
<b>EBLL Requirements</b>	No
<b>Options</b>	Test deteriorated paint; If LBP is NOT identified through XRF or paint chip sampling, no LSHW or clearance



# LSSO Housing: Key Actors

- Grantees are responsible, but may assign duties to others
  - State, city and county governments
- Administering agencies
  - City and county governments
  - Subrecipients
  - Nonprofit organizations
- Program participants
  - Occupants
  - Property owners



# LSSO Housing: Implementation

## Initial Actions

- Visual assessment – Trained Inspector
  - Plus, program required property standards, ex: HQS or equivalent program requirement
- Owner notification of visual assessment results
- Paint stabilization and cleanup – RRP Certified Contractor or workers
- Clearance prior to occupancy – Third Party
- [Checklist for Lead Hazard Reduction Activities](#)





# LSSO Housing: Implementation

## Ongoing Actions

- Notices (Lead hazard pamphlet, disclosure forms, Test/Presume, Lead Hazard Control, Clearance)
- Ongoing maintenance of painted surfaces
  - Incorporate into building operations
  - Visual assessment every 12 months/at turnover
  - Paint stabilization within 30 days of notification
- Recordkeeping



# Subpart K Leasing vs. Subpart M TBRA

## Subpart K Leasing

- Activity may include short term emergency payments or payment of deposit for eligible tenant
- Typically does not constitute an ongoing rental subsidy for tenant, but might include ongoing support to the operator – maintenance required
- Eligible units must meet property standards

## Subpart M Tenant-Based Rental Assistance

- Ongoing rental assistance which is tied to the tenant rather than a specific location
- TBRA generally is provided on an ongoing basis, **not** emergency payments of 100 days or less
- Allows eligible tenant families to locate and rent privately owned housing
- Eligible units must meet property standards



# Emergency Payments

- Emergency payments are subject to Subpart K (Not M) but is exempt for first 100 days
  - Exempt from conducting a visual inspection and possible clearance actions prior to providing the emergency payments to keep the tenant in their current unit
  - 100 days starts from payment moving forward (does not include payment days in arrears)
- 100-day exemption is tied to the unit, not the occupant
  - Program administrators are strongly encouraged to track the cumulative number of calendar days of assistance of each recipient
  - Ex: If a resident has assistance in January and moves out in April and a new resident applies in April, the exemption no longer applies since more than 100 days have passed.
- CDBG funds provided as emergency payments can be utilized to assist a household at risk of eviction
  - Maximum of 90 days



# CDBG-CV Emergency Payments Example

- CARES Act CDBG-CV funds are being used by grantees to address the impact of COVID-19
- Short Term Housing Assistance is being provided; CDBG-CV notice includes a waiver of the 3-month limit to allow for up to emergency payments up to 6-months
- Subpart K only exempts this activity up to 100 days
  - 100 days starts from payment moving forward (does not include payment days in arrears)
- If CDBG-CV funds are used for emergency payments for rental or mortgage payments that exceed 100 days a visual assessment, paint stabilization, and clearance testing will be required
- Other exemptions may apply such as a unit constructed on or after January 1978



# Emergency Shelters

If HUD funds are being used to operate an emergency shelter, is the shelter subject to the lead-based paint regulation?

- Depends on the configuration
- Most emergency shelters are exempt, because they fall under the definition of zero-bedroom dwellings
- If the shelter does not qualify for the zero-bedroom exemption, it is covered by the regulation

**NOTE:** If children under 6 occupy a shelter, or zero bedroom unit, lead-safe policies must be in place regardless of the length of the occupancy.



# Program Design Considerations



## Standards

Specify the standards eligible units must meet to receive assistance



## Applicant Warning

Do not execute purchase agreements prior to evaluation or utilize an inspection clause



## Staffing

Include certified visual assessor(s) to complete the required evaluations



## Policies and Procedures

Incorporate the Subpart K requirements and the collection of the required documentation



## Homebuyer Education

Information about the risks of lead-paint hazards

# Program Review

- Does program design promote lead-safe housing?
- Do procedures assure timely and efficient compliance?
- Are all parties fully aware of procedures and provided with forms and tools?
- Do beneficiaries understand how they can promote lead safety?
- Are inspectors trained in visual assessment or risk assessment?
- Are contractors trained and certified in RRP?



# Knowledge Check

1. What order should the following activities occur in a special needs housing program?

- A. Distribute pamphlet, visual assessment, paint stabilization, clearance
- B. Visual assessment, paint stabilization, distribute pamphlet, clearance

2. Who may conduct paint stabilization and clearance?

- A. The same worker must conduct paint stabilization and clearance
- B. Paint Stabilization:** Trained or supervised worker  
**Clearance:** Certified RA, LBP inspector, or clearance technician
- C. Paint Stabilization:** Certified RA, LBP inspector, or stabilization technician  
**Clearance:** Trained or supervised worker

3. Who is responsible for compliance with lead-based paint requirements?

- A. Housing providers
- B. Property owners
- C. Both







**Available  
Resources**

# HUD Exchange Lead-Based Paint Page



## Lead-Based Paint

Lead is a naturally occurring element found in air, soil, and water, but it can cause a range of health problems. When lead is absorbed into the body, it can damage the body's organ systems, especially the nervous system. Children under six years of age are at particular risk of damage to the brain and peripheral nerves because they are growing.

[Home](#) > [Programs](#) > [Lead-Based Paint](#)

### Featured



#### Lead Safe Housing Rule Toolkit

The tools in the Lead Safe Housing Rule Toolkit help practitioners understand and comply with the federal lead rules. Use it to learn about preparing to administer projects, implementing key project tasks, and keeping records for compliance.

[View Toolkit](#)



#### Lead-Based Paint Resources

- [Lead Definitions Handout](#)
- [Lead Disclosure Rule](#)
- [LSHR-Renovation, Repair, and Painting Rule \(RRP\) Handout](#)
- [Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing](#)
- [Office of Lead Hazard Control and Healthy Homes](#)

[View more resources](#)



#### Lead Exposure

What do I do if I think my child or I have been exposed to lead?

Talk to your pediatrician, general physician, or local health agency about what you can do. Your doctor can do a simple blood test to check you or your child for lead exposure.

View the [Protect Your Family from Lead in the Home](#) pamphlet, [Childhood Lead Poisoning Prevention Program](#), or contact the [National Lead Information](#)



<https://www.hudexchange.info/programs/lead-based-paint/>

# Lead Safe Housing Rule (LSHR) Toolkit

<https://www.hudexchange.info/programs/lead-based-paint/lshr-toolkit/introduction/>

- Search
- Introduction
- Lead Rule Basics
- Subpart H: Project-Based Assistance ≤ \$5,000
- Subpart H: Project-Based Assistance > \$5,000
- Subpart J: Rehabilitation Assistance
- Subpart K: Acquisition
- Subpart K: Leasing, Support Services, and Operations
- Subpart M: Tenant-Based Rental Assistance
- Hazard Reduction
- Respond to a Child with an EBLL



## Introduction

The tools in the Lead Safe Housing Rule Toolkit help practitioners understand and comply with the federal lead rules. The rules apply to almost all ownership, rentals, and sales of pre-1978 housing regardless of occupants or federal assistance to keep children and families safe from lead.

## Lead Rules Basics

If you are new to the lead regulations, review [Lead Rules Basics](#).

Choose the type of activity you are working in, or operating, to access the tools and information for that activity. If you are not sure which applies to you, view [Which Subpart Do I Use?](#)

## Project-Based Assistance (PBA): Subpart H with A, B, and R

PBA rules and tools apply to rental properties receiving ongoing assistance that reduce occupants' rents. Assistance is tied



# Lead Safe Housing and Healthy Homes Mailing List

Go to <https://www.hudexchange.info/maillinglist/>

## Email Updates

Sign up to receive email updates on HUD policy guidance, training opportunities, resources, critical deadlines, program support, and more.

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## Update Your Preferences

IDIS - Integrated Disbursement and Information System

Lead Safe Housing and Healthy Homes

Multifamily Housing Preservation



# Resources

- LSHR Toolkit: <https://www.hudexchange.info/programs/lead-based-paint/lshr-toolkit/introduction/>
- Lead Regulations: [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/healthy\\_homes/enforcement/regulations](http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/enforcement/regulations)
- Lead Safe Housing Rule (LSHR) Training: <https://www.hudexchange.info/trainings/lead-safe-housing-rule/>
- EPA page: <https://www.epa.gov/lead>
- Interpretive Guidance on LSHR: <https://portalapps.hud.gov/CORVID/HUDDLBPAdvisor/info/documents/LSHRGuidance21June04.htm>
- Lead-Based Paint: <https://www.hudexchange.info/programs/lead-based-paint/>

Contact OLHCHH: [leadregulations@hud.gov](mailto:leadregulations@hud.gov)





**Q&A**