



# Lead Safe Housing Rule Toolkit



## Lead-Based Paint Document Checklist: Public Housing Agency

### About this Tool

The following checklist provides Public Housing Agency (PHA) staff with an overview of documents that are commonly used to verify compliance with HUD’s Lead Safe Housing Rule (LSHR) when operating a public housing building.

If a PHA uses its own staff to perform repairs, maintenance, and rehabilitation of pre-1978 housing that has not been certified as lead-free (referred to as renovation, repair, and painting projects by EPA), the PHA must apply to EPA or the state to become a certified renovation firm and the staff must obtain training to be certified renovators.

Document	√
<b>A. For all units, disclosure and review for exemptions:</b>	
1. Copy of Disclosure Form with Acknowledgement of receipt of pamphlet “Protect Your Family from Lead in Your Home”	<input type="checkbox"/>
2. If property qualifies for an exemption, acceptable documentation is required (see table below)	<input type="checkbox"/>
<b><i>If property qualifies for exemption, STOP HERE. No further records are required.</i></b>	
<b>B. For any unit that is not exempt:</b>	
1. Paint inspection and risk assessment of all interior, exterior painted surfaces and common areas servicing the unit by a trained and certified LBP Inspector and Risk Assessors	<input type="checkbox"/>
2. Notice by the PHA to the tenant asking occupants to report deteriorated paint	<input type="checkbox"/>
<b>C. For any unit that requires abatement:</b>	
1. Interim controls are used until abatement is performed	<input type="checkbox"/>
2. Documents pertaining to abatement:	
a. Copy <a href="#">Pre-renovation Form</a> with Acknowledgement of receipt of EPA pamphlet “Renovate Right”	<input type="checkbox"/>
b. Documentation of the abatement work performed on property such as a scope of work or work write up	<input type="checkbox"/>
c. Documentation that the work was performed by a trained and certified (EPA or State) Renovator using safe work practices	<input type="checkbox"/>
d. Documentation that the work incorporated occupant protection and, if warranted, temporary relocation (if occupied)	<input type="checkbox"/>
e. Documentation indicating relocation is not required ( <i>Temporary Relocation not required if work meets one of the conditions in the table below.</i> )	<input type="checkbox"/>

Document	√
f. Notice of Lead Hazard Reduction to resident within 15 days of the clearance examination results	<input type="checkbox"/>
3. Third party Clearance Report	<input type="checkbox"/>
<b><i>D. For public housing units occupied for more than one year:</i></b>	
1. Documents pertaining to Ongoing Maintenance:	
a. Records that show an annual visual assessment, such as a unit inspection report for deteriorated paint	<input type="checkbox"/>
b. Records that show a periodic re-evaluation conducted by a certified risk assessor within 2 years of hazard reduction activity and repeated 2 years later until 2 consecutive re-evaluations pass without finding hazards or failure of encapsulations or enclosure	<input type="checkbox"/>
c. Records that show deteriorated paint was repaired using safe work practices and occupant protection	<input type="checkbox"/>
d. If lead-based paint hazards are found, provide Notice of Evaluation	<input type="checkbox"/>
2. Third party Clearance Report	<input type="checkbox"/>
<b><i>E. For any unit found to have a child with a verified Elevated Blood Lead Level (EBLL):</i></b>	
1. Documents pertaining to EBLL requirements:	
a. Documentation demonstrating verification of the EBLL (from health department or physician) and notification to HUD within 5 days	<input type="checkbox"/>
b. Environmental Investigation and Risk Assessment Report within 15 days of 1a.	<input type="checkbox"/>
c. Work Write-up of lead hazard reduction work (interim control or hazard abatement)	<input type="checkbox"/>
d. Evidence that contractor is an EPA or State certified Renovator Firm and all workers are trained and certified renovators OR abatement workers if hazard abatement is conducted	<input type="checkbox"/>
e. Lead hazard control work is completed 30 days from the EI/Risk Assessment Report	<input type="checkbox"/>
f. Clearance Report immediately following lead hazard control work	<input type="checkbox"/>
g. Notice of hazard evaluation and reduction to all building residents (Excluding any identifiable information)	<input type="checkbox"/>
h. Copies of emails or letters notifying HUD within 10 days of the deadlines for b - g above	<input type="checkbox"/>
i. Evidence of risk assessment and hazard control and clearance in all other child-occupied, assisted units and common areas	<input type="checkbox"/>

## Suggested Documentation to Support Exemptions to the Lead-Safe Housing Rule

Use the [LSHR Screening on Exemption or Limited Exemption](#) to help determine whether an exemption applies. Use the chart below to determine what supporting documentation should be obtained and kept in the file.

<b>Property Exemptions [24 CFR 35.115]</b>	<b>Supporting Documentation<sup>1</sup></b>
Residential structures built after January 1, 1978.	Program documents demonstrating that structure was built after January 1, 1978, such as tax records or an appraisal.
Areas where state and local governments banned lead-based paint prior to January 1, 1978.	Official documents from the jurisdiction specifying the ban, including citation of relevant legislation AND official HUD waiver of Subparts B, C, D, F – M, and R.
Emergency action activities. Emergency repairs to the property are being performed to safeguard against imminent danger to human life, health, or safety, or to protect the property from further structural damage due to natural disaster, fire, or structural collapse. This exemption applies only to repairs necessary to respond to the emergency.	Program documents, such as an inspection report that documents the condition of the property and the nature of the emergency that caused the damage.
Properties found not to have lead-based paint by a LBP Inspection per the most current HUD Guidelines.	Full Lead-Based Paint Inspection Report
Properties where all lead-based paint has been identified, removed, and clearance (does not apply to enclosure or encapsulation abatement methods).	LBP Inspection, Risk Assessment Reports, abatement scope of work, clearance report indicating no lead-based paint in the property.
Zero-bedroom dwelling units like dormitories, single-room occupancy properties, and efficiencies.	Program or property documents, including photos, that classify units as studio or SRO.
Elderly and disabled housing. This housing is reserved exclusively for the elderly or persons with disabilities. However, this exemption explicitly does not apply if a child of less than 6 years of age resides or is expected to reside in the unit.	Program documents that classify housing as being reserved exclusively for the elderly or persons with disabilities and demonstrate no children are permitted or actually live in (any of) the unit(s).
Rehabilitation that does not disturb paint.	Program documents, such as a work write-up, showing that no paint will be disturbed, including before/after photos.
Unoccupied units that will be demolished.	Program documents that indicate the unit is unoccupied until demolition.
Property not used for human residential habitation.	Program documents that indicate the property's purpose and showing that it is not meant for human habitation.

<sup>1</sup> Acceptable program documentation is not specified by the LSHR, but responsible entities are encouraged to use official and verifiable documents to support a property's exempt status)

## Suggested Documentation for Demonstrating that Relocation is NOT Required

Use the [LSHR Guidance on Relocation](#) in conjunction with the supporting documentation listed, to help document situations in which relocation is not necessary.

Circumstances When Occupant Relocation Is Not Required <i>[24 CFR 35.1345]</i>	Supporting Documentation <sup>2</sup>
Treatment will not disturb lead-based paint, dust lead hazards, or soil lead hazards.	Program documents, such as a work write-up, risk assessment, or inspection report, and photos
Treatment of the interior will be completed within one period in eight daytime hours, the site will be contained, and the work will not create other safety, health, or environmental hazards.	Program documents, such as a work write-up, bid specifications, contractor bid documents, photos
Only the building’s exterior is treated; the windows, doors, ventilation intakes, and other openings near the worksite are sealed during hazard reduction activities and cleaned afterward; and a lead-free entry is provided.	Program documents, such as a work write-up, bid specifications, contractor bid documents, photos
Treatment of the interior will be completed within five calendar days; the work area is contained; at the end of each day, the area within 10 feet of the containment area is cleared of debris and thoroughly cleaned; at the end of each work day, occupants have safe access to sleeping areas, bathroom, and kitchen facilities; and treatment does not create other safety, health, or environmental hazards.	Program documents, such as a work write-up, bid specifications, contractor bid documents, photos
HUD has advised that the relocation of elderly occupants is not typically required, so long as complete disclosure of the nature of the work is provided and informed consent of the elderly occupant(s) is obtained before commencement of the work. (See Item J24 in “Interpretive Guidance—The HUD Regulation on Controlling Lead-Based Paint Hazards in Housing Receiving Federal Assistance and Federally Owned Housing Being Sold,” 6/21/04 edition.)	Signed informed consent from the elderly occupants

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<sup>2</sup> Acceptable program documentation is not specified by the LSHR, but responsible entities are encouraged to use official and verifiable documents to support the claim that relocation is not required.