



Sample Letter to Lenders, Realtors and Title Companies Lead Based Paint Rules

To better protect young children from the dangers of lead based paint in their homes, the Department of Housing and Urban Development issues the Lead Safe Housing Rule.

- Elevated blood lead levels affect 535,000 U.S. children age 1-5 years.
- 23.2 million homes have at least one lead-based paint hazard.
- The most common source of lead hazards are generated in a residential environment.
- Lead based paint was banned from residential use in 1978.

The Lead Safe Housing Rule applies to any housing unit built prior to 1978 and assisted with HUD funds. The rule affects the way City, Lenders, Realtors and Title Companies implement homebuyer assistance programs as follows:

- During the City's regular inspection of any house built before 1978, both the interior and exterior painted surfaces must be inspected for defective paint. Defective paint is any painted surface on the residential property that is flaking, chipping, peeling, cracking, or chalking.
- Defective paint surfaces must be corrected by workers trained in lead-safe work practices or workers supervised by trained and certified renovators (EPA or State Renovation, Repair, or Painting Rule (RRP) who are employed by certified RRP firms. (The City can provide information on how to locate appropriately trained renovators).
- If defective paint is not found, no corrective work or clearance testing is required.
- Once work on the defective paint surface is completed and the surrounding area cleaned, a third-party certified Risk Assessor, Inspector, or Clearance Technician will perform a clearance examination. The dust-lead samples will be sent to a certified laboratory for analysis. This may require up to three days.
- The cost of clearance testing may be added to the closing costs. Cost will depend on the number of samples taken.
- If the home fails the clearance examination, the home must be re-cleaned and re-tested.
- The buyer and seller cannot close on a homebuyer assistance project until the house passes the clearance examination.