



Lead Safe Housing Rule Toolkit



Tenant-Based Rental Assistance (TBRA) Requirements and Responsible Party

LSHR TBRA Owners Requirements	Owner	PJ/City
Landlords sign the Lead Based Paint Disclosure Form for target housing when a request for Lease Approval is submitted for a unit regardless of age of tenants at occupancy.	X	
Protect Your Family From Lead Information Pamphlet is provided and explained to tenants at their briefing by the Housing Office		X
Perform a visual assessment of painted surfaces on all exterior, interior, and common areas of pre-1978 units <i>in which children under the age of 6 will be or are living.</i>		X
The PJ/City presumes all of the defective painted surfaces contain lead-based paint. Surfaces subject to assessment include the interior and exterior surfaces of the unit, common areas connecting to the unit or used by one or more children under age six including on-site play areas and childcare facilities.		
At their own expense, landlords have the option to test the deteriorated paint to confirm the presence or absence of lead-based paint. If the test results show no lead-based paint is present, a certified renovator using lead safe work practices and third party clearance is not required..	X	
Before the tenant moves in or before an annual contract is renewed, all defective surfaces must be corrected by trained, certified (RRP) Renovators or workers supervised by a certified Lead-Based Paint Abatement Supervisor. All work must be done using lead-safe work practices.	X	
After the work is complete, a third-party Lead-Based Paint Risk Assessor, Inspector or Clearance Technician performs clearance on the unit. Clearance includes a visual assessment of the completed work and dust-wipe sampling. The results are provided in a Clearance Report If the owner does not complete hazard reduction and pass clearance, it is in violation of the Housing Quality Standards (HQS).	X	
Lead-Based Paint Risk Assessor, Inspector or Clearance Technician	X	
The City/PJ may negotiate on who pays for first and/or subsequent clearance examinations; however, the Rule identifies the owner as the responsible party.	X	X
Landlords must notify tenants of the hazard reduction work and clearance test results.		X
The Housing Assistance Payment or similar leasing/rental contracts will not be effective until a unit passes HQS inspection, which will now include the lead-based paint clearance test, and leases are executed by both landlord and tenant.	X	X
Response to a child with an elevated blood lead level (EBLL)	Owner	PHA/Grantee
Initial notification of confirmed case to HUD	X	*
Verification, when necessary	*	X
Initial notification of confirmed case to public health dept.	X	*
Environmental investigation		X
Lead hazard control	X	
Risk assessment on other covered units	X	
Lead hazard control on other covered units	X	
Clearance after work completed	X	
Notification to residents	X	
Ongoing maintenance	X	
Monitoring of owner compliance with LSHR and HQS		X

* The PJ/City/PHA may wish to collaborate with the owner on implementing this process, as described above.