



**EXECUTIVE
DIRECTOR**
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LEAD-BASED PAINT INFORMATION

HUD Lead-Based Paint (LBP) regulations, published in September 15, 1999, are effective as of March 15, 2001.

What conditions must be present for LBP regulations to apply?

1. Deteriorated paint is present;
2. Housing built before January 1, 1978; and
3. The unit is occupied by at least one child under the age of six; and
4. The rental unit has at least one bedroom.

Exemptions are efficiency units (0-bedrooms), elderly/handicapped units where children are not expected to live, and units free of lead.

What does deteriorated paint mean?

Deteriorated paint means any interior or exterior paint or other coating that is peeling, chipping, chalking or cracking or any paint or coating located on an interior or exterior surface or fixture that is otherwise damaged or separated from the substrate. The substrate means the material directly beneath the painted surface such as wood, drywall, plaster, concrete, brick or metal.

What areas of the property must be inspected for deteriorated paint?

1. All exterior painted surfaces from ground to rooftop.
2. All interior painted surfaces.
3. Common areas servicing the unit.

Common area is defined as:

- A portion of the property available to use by occupants of more than one dwelling unit. These areas may include, but are not limited to, hallways, stairways, laundry and recreational rooms, playgrounds, community centers, on-site day care facilities, garages, and boundary fences.

What happens if the Housing Inspector finds deteriorated paint in a unit built before 1978 and a child under age six is a resident?

The inspector will notify the owner of the deteriorated paint.

If the amount of deteriorated paint is above the de minimus levels (see last paragraph) the owner may choose to have the unit tested for lead-based paint by a certified lead-based paint inspector (we will provide you the name and phone number of an EPA Certified Inspector).

The testing would include all interior, exterior, and common areas associated with the unit.

If no lead paint is found, Everett Housing Authority will pay for the entire cost of the testing.

If lead is found the Everett Housing Authority will pay half of the cost of the testing.

What if the test results show the presence of lead in the paint?

Everett Housing Authority's lead paint policy adopted February 2002 requires the owner to choose a course of action:

Choice One:

1. All identified lead surfaces must be abated. Abated means to remove or encapsulate the affected areas.
 - A certified abatement supervisor must supervise individuals performing this work or those performing the abatement must have successfully completed an accredited LBP abatement worker course.
 - Once all work is complete a clearance test is required. This test will check for the presence of lead dust on surfaces at the work site. The Everett Housing Authority will pay the full cost of the clearance test.

Choice Two:

2. You may choose not to abate or encapsulate the lead surfaces. Our contract will be terminated and the tenant will need to move. Further, Federal law will continue to require you to follow specific safe work practices in maintaining the painted surfaces identified as containing lead.

Are there any exemptions to paint stabilization rules?

No. All deteriorated paint in which Lead-Based Paint regulations apply must be repaired. However, if the defective paint area is below de-minimus, the deteriorated paint may be repaired without testing, abatement, encapsulation, safe work practices or a clearance test.

Deteriorated paint is defined as de minimus if it does not exceed:

- 20 square feet on the exterior surfaces
- 2 square feet on interior surfaces
- 10% of small component – such as a bedroom wall, exterior windowsill, baseboard in the living room, porch floor.

