

January Meeting Notes

Doug Quattrochi, Executive Director, MassLandlords was on vacation and not able to give us a monthly update.

Mark introduced Mary Chabot to speak on Lead Paint.

The lead paint law applied to homes built prior to 1978 housing children age 6 and under or a pregnant woman. These residences need to be in compliance with the Lead Law.

What is the definition of lead poisoning: In children - 10 mcg/dL is considered poisoned according to CLPPP and the EPA. HUD level is 5mcg/dL.

[EDITOR'S NOTE: The levels of lead poisoning are measured in micrograms per deciliter; mcg/dL.

One microgram is one-millionth of a gram, and a gram is about 1/30th of an ounce. So, if my arithmetic is correct, that means one microgram is 0.000000333 of an ounce.

One deciliter is one-tenth of a liter, and a liter is a bit larger than a quart. A quart is 32 ounces so one-tenth of a quart would be 3.2 ounces, nearly half-a-cup. For all practical purposes, we can say that one deciliter is half-a-cup.

Carrying all this forward: 10 mcg/dL is 0.000000333th of an ounce per half-a-cup; 5 mcg/dL is 0.000000166th of an ounce per half-a-cup.

Please check my arithmetic.]

What is lead paint hazard: a high level of lead (1.0 or greater, or positive) on windows and places where children can chew.

The paint always needs to be in good condition with no peeling, chipping or cracking.

The biggest change in the ruling is that door edges and jambs and stair treads cannot have any lead paint exposed. Owners who used encapsulation paint on door edges and jambs are no longer in compliance, and would be fully responsible if a child becomes poisoned. In addition, several surfaces no longer need to be treated, such as outside corners. However, the paint is required to remain in good condition. The good news is that property owners can take a 16-hour training course and do the work themselves. The options available are to remove, cover or touch up small amounts of lead paint.

When and what does the landlord need to disclose:

- 1) the landlord must provide copies of all lead information to the tenant.
- 2) The landlord must provide tenant lead law notification.
- 3) The landlord must show certification
- 4) the renter must receive information and sign before entering into a rental agreement.

If lead paint is present, the landlord can delay the start of tenancy by 30 days to bring the property into compliance if a child 6 or under will be living there. In the case of a sale, the seller is under no obligation to correct the hazards unless there is a child 6 or under or a pregnant woman living in the premises. Seller must provide copies of all reports.

Removing lead paint:

- 1) a lead inspector or risk assessor is hired to check the property and provide a report.
- 2) You can hire a licensed deleader to correct hazards.
- 3) A property owner can correct all hazards himself. He can take a one day training course, pass a test, and become authorized to do moderate risk deleading. For rental properties, lead safe removal training is required and you must register with the DLS.

A low or no interest loan, called Get the Lead Out Program, is available to property owners. In some cases it doesn't have to be repaid until the property is sold. There is a lead paint state income tax credit of up to \$1500 per unit available. Schedule LP allows you to carry forward credit up to 7 years.

A letter of full deleading compliance is valid only as long as the property is still free of hazards.

Categories: Low Risk Deleading, Moderate Risk Abatement, High Risk (requiring licensed deleader).

Moderate Risk Deleading can be done by property owners and their agents by completing an 8 hour course required by CLPPP and passing the exam. For rental property all must attend Lead Safe Removal Supervisor Training and register with the Department of Labor Standards.

Is it deleading or renovation? If there is an attempt to comply with the Massachusetts Lead Law and issue a Certificate of Compliance to the property owner because there is a child 6 or under, a preexisting Order to Correct, or an attempt to obtain a Certificate of Restored Compliance for work greater than the minimum levels allowed for compliance, one needs further training and certification.

Mary L. Chabot
Mary Chabot Training LLC
508-847-0654

Submitted by Mary Palazzo