

Prince William County Office of Housing and Community Development
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LEAD REQUIREMENTS WORKSHEET

DIRECTION: This worksheet must be placed in the project file for all residential properties that are assisted with Federal funds. Parts 1, 2, and 3 should be completed for all projects. Part 4 should be completed for rehabilitation projects.

Street Address: _____

City: _____ State: Virginia Zip: _____

Part 1: Regulation Eligibility Statement

Check all that apply:

Property is receiving Federal funds.

Unit was built prior to 1978.

NOTE: If both Eligibility Statements above have been checked, continue with the Exemption Statement below. Otherwise, the regulation does not apply, sign and date form.

Part 2: Full Exemptions From All Requirements of 24 CFR Part 35 (The Lead Regulations)

If the answer to any of the following questions is yes, the property is exempt from the requirements of 24 CFR Part 35 per the regulatory citation.

- | | | |
|---|------------------------------|-----------------------------|
| ▪ Was the property constructed after January 1, 1978? [35.115(a)(1)] | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| ▪ Is this a zero-bedroom unit? (e.g. SRO, efficiency) [35.115(a)(2)] | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| ▪ Is this dedicated elderly ¹ housing? (i.e. over 62) [35.115(a)(3)] | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| ▪ Is this housing dedicated for the disabled ² ? [35.115(a)(3)] | <input type="checkbox"/> YES | <input type="checkbox"/> NO |

¹ Defined as retirement communities or dedicated types of housing reserved for households composed of one or more persons over age 62, or other age if recognized by a specific Federal housing assistance program. However, if a child under the age of 6 resides or is expected to reside in such a unit, the unit is not exempt.

² The housing must be designed exclusively for persons with disabilities, defined as any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of impairment, or is regarded by others as having such an impairment. However, if a child under the age of 6 resides or is expected to reside in such a unit, the unit is not exempt.

- Has a paint inspection conducted in accordance with 35.1320(a) established that the property is free of lead-based paint? [35.115(a)(4)] YES NO
 - The date of the original paint inspection was _____. An optional paint inspection conducted on _____ confirmed this prior finding.
- Has ALL lead-based paint in the property been identified and removed, and has clearance been achieved? [35.115(a)(5)] YES NO
- Current vacant unit remaining vacant till demolished? [35.115(a)(6)] YES NO
- Is the property used for non-residential purposes³? (i.e. commercial, agricultural, industrial, public) [35.115(a)(7)] YES NO
- Will ALL rehab **exclude** disturbing paint surfaces? [35.115(a)(8)] YES NO
- Are emergency actions immediately necessary to safeguard against imminent danger to human life, health or safety, or to protect the property from further structural damage?^o (i.e. after natural disaster or fire) [35.115(a)(9)] YES NO
- Will the unit be occupied for less than 100 days under emergency leasing assistance to an eligible household? [35.115(a)(11)] YES NO

Part 3: Hazard Reduction Requirements – Partial Waivers

If the answer to any of the following questions is yes, the grantee and/or occupant may waive certain requirements as described below:

De minimus [35.1350(d)(1) & (2)]

- Is the amount of paint surface that is being disturbed during the construction below “de minimus” levels? If so, safe work practices and clearance are not required in that work area.
 - Less than 9 square feet of bare soil? YES NO
 - Less than 20 square feet on an exterior surface? YES NO
 - Less than 2 square feet in the following rooms? YES NO
-

³ Except that spaces such as entryways, hallways, stairways, etc. serving both residential and non-residential uses in a mixed-use property are not exempt.

^o When a household is provided short-term emergency leasing assistance and will occupy a unit for less than 100 days, the unit is exempt from lead paint regulations. This emergency leasing exemption is attached to the unit, not the family, and is a one-time exemption. After being assisted for a total of 100 consecutive days, the unit becomes subject to regular Subpart K requirements. Multiple families cannot be cycled through the same unit at intervals of less than 100 days under this exemption.

Elderly Relocation Waiver [Interpretive Guidance Question J-24]

- Is the unit occupied by an elderly person(s)? If so, relocation of the elderly occupant(s) is not required if complete disclosure of the nature of the work is provided and informed consent is obtained prior to rehabilitation. YES NO

Historic Abatement Waiver [35.115(13)]

- Is a unit that is subject to abatement requirements listed or eligible for listing on the National Register of Historic Places, or does it contribute to a National Register Historic District? If so, the State Historic Preservation Office may request that interim controls be implemented rather than abatement. YES NO

No Exterior Work [35.930(d)(3)]

- Is no exterior paint to be disturbed during renovation? YES NO
(Only exterior stabilization required even in abatement jobs)

No Children [35.1330(d)(1)]

- Are all of the residents over the age of 5? YES NO
(No chewable or play area treatments required)

No Bite Marks [35.1330(d)(1)]

- Are all chewable surfaces free of bite marks made by children under 6? YES NO
(No chewable surface treatment required)

No Dust Hazards [35.1330(c)(1)(i)]

- Is the closet horizontal surface dust wipe below the clearance threshold? YES NO
(No friction and impact surface treatments required in the following work areas:

Part 4: Rehabilitation Projects

Per Unit Level of Assistance [35.915]

- A. Average Federal Funding Per Unit \$ _____
- B. Average Per Unit Rehabilitation Hard Costs \$ _____
(not including any acquisition soft cost or costs of lead hazard evaluation, reduction, clearance and training)
- C. Level of Assistance (lower of A or B) \$ _____

Approach Required (Based Upon Answer to Question C)

\$0	_____	Exempt from Lead Regulations
\$1 - \$5,000	_____	Test & Repair Damaged Paint
\$5,001 - \$25,000	_____	Risk Assessment and Interim Control of Lead Hazards
\$25,001 and above	_____	Risk Assessment and Abate Lead Hazards

Calculated by: _____ Date: _____

I have evaluated the site, the specifications, estimated rehab hard costs, interviewed the occupants and reviewed any hazard evaluation reports. In my professional opinion, this project meets the above requirement for federal lead hazard reduction under 24 CFR Part 35.

Signature

Date

Sites for OMB Circulars and Lead-Based Paint

"Protect Your Family From Lead In Your Home" Notification

www.hudclips.org/sub_nonhud/html/forms.htm select HUD forms

www.epa.gov/lead/lead.prot.htm

Lead Paint Safety: A Field Guide for Painting, Home Maintenance and Renovation Work

www.hud.gov/lea/LBPguide.pdf

Lead Listing of Certified Contractors

1-888-532-3547

www.leadlisting.org

National Lead Information Center - Forms and Information

www.epa.gov/lead/nlic.htm

HUD Housing Quality Inspection Booklet

www.hudclips.org/sub_nonhud/html/pdfforms/5280-a.pdf

OMB Circulars

www.whitehouse.gov/WH/EOP/OMB/html/circular.html

National Lead Laboratory Accreditation Program (NLLAP) List of Recognized Laboratories 1-800-424-LEAD

SUMMARY OF LEAD-BASED PAINT REQUIREMENTS

Activity (Regulation Subpart)	Rehabilitation (Subpart J)			TBRA (Subpart M)	A.L, SS, O (Subpart K) Homebuyer and Special Needs*
Condition	<\$5,000	\$5,001 - \$25,000	>\$25,000	Children 5 and under	
Strategy Level	1. Do not harm	3. Assess and control lead hazards	4. Assess and abate lead hazards	2. Identify and stabilize deteriorated paint	2. Identify and stabilize deteriorated paint
Disclosure & Pamphlet	Yes	Yes	Yes	Yes	Yes
Hazard Evaluation	Paint Testing of disturbed surface	Paint Testing and Risk Assessment	Paint Testing and Risk Assessment	Visual Assessment /HQS	Visual Assessment/ Pre-purchase Inspection
Notice	Yes	Yes	Yes	No	No
Lead Hazard Reduction	Repair paint disturbed during rehabilitation	Interim Controls	Abatement	Paint Stabilization	Paint Stabilization
Worker Requirement	Construction workers	Trained or supervised workers	Abatement workers and abatement supervisor	Supervised or trained workers	Supervised or trained workers
Work Practices	Safe work practices Worksite clearance Notice	Safe work practices Worksite clearance Notice	Safe work practices Worksite clearance Notice	Safe work practices Worksite clearance Notice	Safe work practices Worksite clearance Notice
Ongoing Maintenance	No (HOME funded rental only)	No (HOME funded rental only)	No (HOME funded rental only)	Yes	Yes (if ongoing relationship)
EIBLL Requirements	No	No	No	Yes	No
Documentation	Testing Report Clearance Report	Work Write-up Risk Assessment Clearance Report	Work Write-up Risk Assessment Abatement Report	HQS Clearance Report Maintenance	HQS Clearance Report Maintenance
Options	Presume lead-based paint Use safe work practices on all surfaces to be disturbed	Presume lead-based hazards and paint. Standard Treatments on soil, dust, paint, friction, impact and mouthable.	Presume lead-based hazards. Abate all applicable surfaces, soil, dust.	Test deteriorated paint. Use safe work practices only on lead-based paint.	Test deteriorated paint. Use safe work practices only on lead-based paint.

* Special Needs Housing may be subject to the requirements of Subpart J, M or K depending on the nature of the activity undertaken. Most special needs housing involves acquisition, leasing, support services and operations, therefore, it has been placed in this column.

Disclosure of Information on Lead-Based Paint and Lead-Based Paint Hazards

Lead Warning Statement

Every purchaser of any interest in residential property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place your children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Seller's Disclosure (initial)

_____ (a) Presence of lead-based paint and/or lead-based paint hazards (check one below):

- Known lead-based paint and/or lead-based paint hazards are present in the housing unit (explain).

- Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

_____ (b) Records and reports available to the seller (check one below):

- Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

- Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Purchaser's Acknowledgement (initial)

_____ (c) Purchaser has received copies of all information listed above.

_____ (d) Purchaser has received the pamphlet "Protect Your Family from Lead in Your Home."

_____ (e) Purchaser has (check one below):

- Received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint hazards; or
- Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agents Acknowledgement (initial)

_____ (f) Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information provided by the signatory is true and accurate.

Seller	Date	Seller	Date
_____	_____	_____	_____
Purchaser	Date	Purchaser	Date
_____	_____	_____	_____
Agent	Date	Agent	Date
_____	_____	_____	_____

Sample Disclosure Format for Target Housing Rentals
Disclosure of Information on Lead-Based Paint and Lead-Based Paint Hazards

Lead Warning Statement

Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not taken care of properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, landlords must disclose the presence of known lead-based paint and lead-based paint hazards in the dwelling. Tenants must also receive a Federal approved pamphlet on lead poisoning prevention.

Lessor's Disclosure (initial)

_____ (a) Presence of lead-based paint and/or lead-based paint hazards (check one below):

— Known lead-based paint and/or lead-based paint hazards are present in the housing unit (explain).

— Lessor has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

_____ (b) Records and reports available to the lessor (check one below):

— Lessor has provided the lessee with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

— Lessor has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Lessee's Acknowledgement (initial)

_____ (c) Lessee has received copies of all information listed above.

_____ (d) Lessee has received the pamphlet "Protect Your Family from Lead in Your Home."

Agents Acknowledgement (initial)

_____ (e) Agent has informed the lessor of the lessor's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information provided by the signatory is true and accurate.

Lessor _____ Date _____ Lessor _____ Date _____

Lessee _____ Date _____ Lessee _____ Date _____

Agent _____ Date _____ Agent _____ Date _____