



24 CFR 35

Lead Based Paint Poisoning Prevention in Certain Residential Structures

Under the Emergency Solutions Grant (ESG), the rule is that a lead-based paint visual assessment must be completed for all units that meet the three following conditions:

- The household living in the unit is being assisted with ESG financial assistance (rent assistance, utilities assistance, utility/security deposits, or arrears).
- The unit was constructed prior to 1978.
- A child under the age of six is or will be living in the unit.

Under ESG, the lead requirements apply regardless of whether a household is remaining in an existing unit or moving to a new unit. The visual assessment must be completed prior to ESG assistance being provided, and annually thereafter.

Sub-Recipient Agency Staff are responsible for ensuring that property owners and managers meet the lead-based paint requirements, and clients are educated and fully aware of potential hazards related to lead and their rights as tenants.

1. Disclosure Requirements

Disclosure requirements are triggered for ALL properties constructed prior to 1978. These requirements require that lessors (property owners or managers) provide tenants with:

- HUD's disclosure form for rental properties disclosing the presence of known and unknown lead-based paint;

AND

- A copy of the "Protect Your Family from Lead in the Home" pamphlet.

Both the disclosure form and pamphlet are available at:

<http://www.hud.gov/offices/lead/enforcement/disclosure.cfm>

2. The Visual Assessment and Beyond

Visual assessments for ESG funded units are only triggered under certain circumstances:

- The leased property was constructed before 1978;

AND

- A child under the age of six will be living in the unit occupied by the household receiving ESG assistance.

Signing below acknowledges the client has received lead disclosure concerning the residential property.

Client Signature: _____ Date _____

Staff Signature: _____ Date _____

