

Information for Property Owners

Lead poisons children. Most children get lead poisoning from lead dust and lead paint in old homes. As a property owner, you must protect children from lead poisoning.

The Massachusetts Lead Law

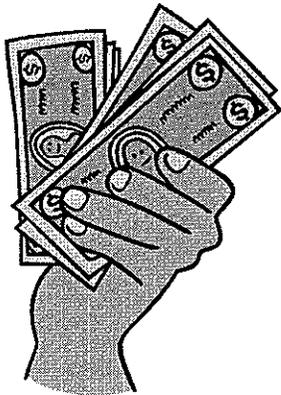
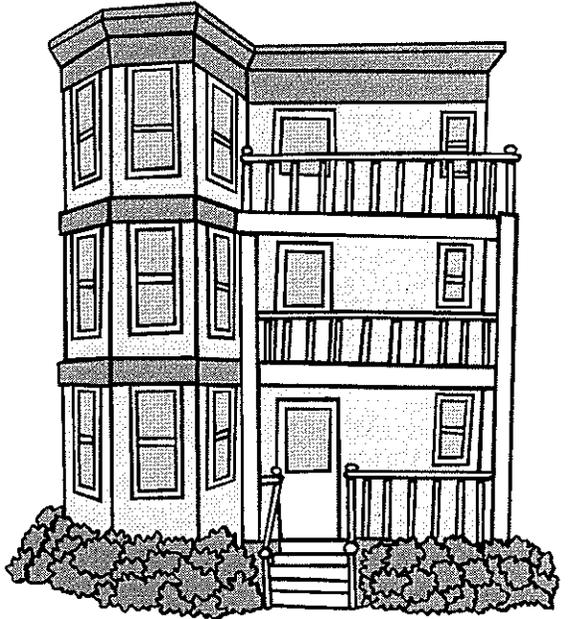
The Lead Law says owners must remove or cover lead paint hazards in homes built before 1978 if a child under 6 lives there. Lead paint hazards include loose paint and lead paint on windows or other places that children can reach.

The only way to know if you have lead in your home is to have it tested by a licensed inspector. Go to www.mass.gov/dph/clppp to find a licensed lead inspector near you.

If there is lead in your home, you must remove or cover it. There are different ways to do this. Call CLPPP to learn more. <http://tinyurl.com/maleadinfo>

Who can remove or cover the lead?

Removing or covering lead is called deleading. Some work must be done by a licensed deleader. But you can do most deleading work yourself if you get trained and authorized. You may need to help tenants find a place to stay (at your expense) until the work is done. To learn more, call CLPPP and ask for a copy of the Deleading Book.



What about money?

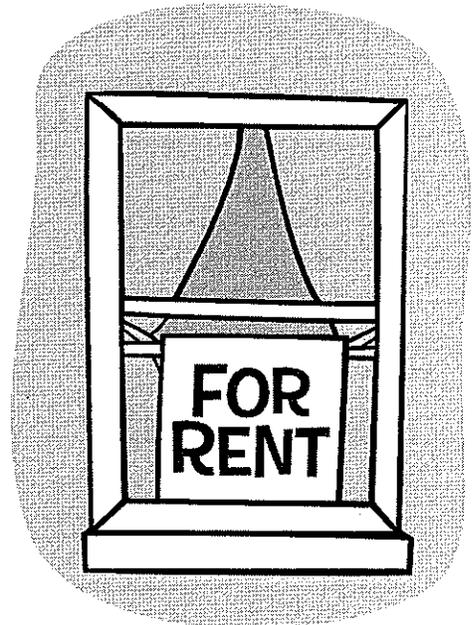
There is money to help property owners pay for deleading. Encourage property owners to call the Get the Lead Out program at 1-617-854-1000.

Owners may be eligible for a state income tax credit of up to \$1,500 if they delead their home. <http://tinyurl.com/malead-financial-help>

Call for free: 1-800-532-9571
Assistance available in other languages.

Before You Rent or Sell

What You Need to Know



Tenant Notification and Certification

When you rent a home built before 1978, you must give tenants these papers before they sign a rental agreement, even if they do not have children:

Tenant Lead Law Notification and Certification form

- A copy of the most recent lead inspection report, if it exists
- A copy of any Letter of Compliance or Letter of Interim Control, if it exists
- Any information about lead in the home.

Property Transfer Lead Paint Notification

When a buyer is about to purchase a home built before 1978, you must give them:

- Property Transfer Lead Paint Notification form
- A signed Property Transfer Lead Paint Certification form
- Any information about lead in the home
- A copy of any lead inspection report, Letter of Compliance, or Letter of Interim Control
- A 10 day period to have the home inspected for lead at the buyer's expense before the Purchase and Sale.

All Notification and Certification forms are available at www.mass.gov/dph/clppp

Penalties and Liability

You cannot evict or refuse to rent to someone because of lead paint. This is discrimination. It is illegal. If a child is poisoned by lead, you are responsible. Complying with the Lead Law is the best protection you have from liability. If you do not comply with the law, you could face civil and criminal penalties.

Childhood Lead Poisoning Prevention Program (CLPPP)

Call: 1-800-532-9571 or 1-617-624-5757

TTY: 1-617-624-5286

Email: clppp@state.ma.us

On the web: www.mass.gov/dph/clppp



Massachusetts Department of Public Health
Bureau of Environmental Health

2015 

www.mass.gov/dph/clppp

Tenant Certification Form

Required Federal 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 managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, lessors must disclose the presence of known lead-based paint and/or lead-based paint hazards in the dwelling. Lessees must also receive a federally approved pamphlet on lead poisoning prevention. The **Massachusetts Tenant Lead Law Notification and Certification Form** is for compliance with state and federal lead notification requirements.

Owner's Disclosure

- (a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):
- (i) Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

- (ii) Owner/Lessor has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
- (b) Records and reports available to the owner/lessor (Check (i) or (ii) below):
- (i) Owner/ Lessor has provided the tenant with all available records and reports pertaining to lead -based paint and/or lead-based paint hazards in the housing (circle documents below).
Lead Inspection Report; Risk Assessment Report; Letter of Interim Control; Letter of Compliance
- (ii) Owner/Lessor has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Tenant's Acknowledgment (initial)

- (c) Tenant has received copies of all documents circled above.
- (d) Tenant has received no documents listed above.
- (e) Tenant has received the Massachusetts Tenant Lead Law Notification.

Agent's Acknowledgment (initial)

- (f) Agent has informed the owner/lessor of the owner's/lessor's obligations under federal and state law for lead-based paint disclosure and notification 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 they have provided is true and accurate.

_____ Owner/Lessor	_____ Date	_____ Owner/Lessor	_____ Date
_____ Tenant	_____ Date	_____ Tenant	_____ Date
_____ Agent	_____ Date	_____ Agent	_____ Date

Owner/Managing Agent Information for Tenant (Please Print):

_____ Name	_____ Street	_____ Apt.
_____ City/Town	_____ Zip	_____ Telephone

I (owner/managing agent) certify that I provided the Tenant Lead Law Notification/ Tenant Certification Form and any existing Lead Law documents to the tenant, but the tenant refused to sign this certification.

The tenant gave the following reason: _____
The Massachusetts Lead Law prohibits rental discrimination, including refusing to rent to families with children or evicting families with children because of lead paint.

Contact the Childhood Lead Poisoning Prevention Program for information on the availability of this form in other languages.

Tenant and owner must each keep a completed and signed copy of this form.

lead paint. You can get a list of licensed deleaders from the state Department of Labor and Workforce Development. Deleaders are trained to use safe methods to prepare to work, do the deleading, and clean up. Either a deleader, the owner or someone who works for the owner who is not a licensed deleader can do certain other deleading and interim control work. Owners and workers must have special training to perform the deleading tasks they may do. After the work is done, the lead inspector or risk assessor checks the home. He or she may take dust samples to test for lead, to make sure the home has been properly cleaned up. If everything is fine, he or she gives the owner a Letter of Compliance or Letter of Interim Control. After getting one of these letters, the owner must take care of the home and make sure there is no peeling paint.

What is a Letter of Compliance?

It is a legal letter under state law that says either that there are no lead paint hazards or that the home has been delead. The letter is signed and dated by a licensed lead inspector.

What is a Letter of Interim Control?

It is a legal letter under state law that says work necessary to make the home temporarily safe from serious lead hazards has been done. The letter is signed and dated by a licensed risk assessor. It is good for one year, but can be renewed for another year. The owner must fully delead the home and get a Letter of Compliance before the end of the second year.

Where can I learn more about lead poisoning?

Massachusetts Department of Public Health
Childhood Lead Poisoning Prevention Program (CLPPP)
(For more copies of this form, as well as a full range of information on lead poisoning prevention, tenants' rights and responsibilities under the MA Lead Law, how to clean lead dust and chips, healthy foods to protect your children, financial help for owners, safe deleading and renovation work, and soil testing.)
617-753-8400, 1-800-532-9571

Your local lead poisoning prevention program
or your local Board of Health

U.S. Consumer Product Safety Commission
(Information about lead in consumer products)
1-800-638-2772

U.S. Environmental Protection Agency, Region I
(Information about federal laws on lead)
617-565-3420

Massachusetts Department of Labor and
Workforce Development
(List of licensed deleaders)
617-969-7177, 1-800-425-0004

National Lead Information Center
(General lead poisoning information)
1-800-LEAD-FYI

SHORT-TERM VACATION OR RENTAL EXEMPTION NOTIFICATION

Under the Massachusetts Lead Law (M.G.L. c.111, s.199B) and Regulations (105 CMR 460.100(D)), the owner of the property located at:

_____ MA _____
(street) (apt.) (city) (zip)

that is being rented or occupied for vacation purposes, certifies that: (Check One)

- all paint in the dwelling unit is intact including on the exterior parts of the windows and qualifies for an exemption from the Lead Law which requires the owner to abate or contain lead paint if a child under six years of age is in residence.
- the dwelling unit has received a compliance document certifying that the unit met standards for full deleading or interim control compliance on _____ (date). A copy of the compliance document and inspection/reinspection reports associated with this unit has been placed in the dwelling unit for review

The Department of Public Health advises parents of young children under six years of age who are tenants or occupants under this exemption for a period not to exceed a total of thirty-one days, that occupying a dwelling unit for a short period of time where lead paint is intact does not present a health hazard for children under six years of age. Should you be concerned about peeling paint that you have found in the dwelling unit, contact:

Name of Owner or Agent Authorized To Make Repairs Telephone Number

Date of Visual inspection when all paint or other coating was intact on relevant surface _____

Signature of Owner or Agent Performing Visual Inspection Date

Number of Days Rented or Occupied (Not to Exceed 31 Days) _____

Signature of Tenant or Occupant with Child Under Six Years of Age Signature of Owner or Agent Presenting Notification to Tenant

Date

Date

If peeling paint is present in the dwelling unit, the owner is not exempt from the obligations of the Lead Law.

THIS FORM MUST BE COMPLETED FOR A VALID EXEMPTION