

Where can I get more information?

GHHI staff can provide free compliance assistance to rental property owners. Please call 410-534-6447 or visit www.ghhi.org for more information related to:

- State and Federal Lead Laws
- Certified Contractors, Inspectors and Training Programs
- Grant and Loan Programs for Lead Hazard Reduction
- HEPA-Vacuum Rental Programs
- Tenant Education Programs

or call the Maryland Department of the Environment at 410-537-3825.

The Law's intent is to reduce the incidence of childhood lead poisoning while maintaining a stock of affordable rental housing.

DISCLAIMER: This pamphlet is intended to provide general information only. It is not intended to give legal advice. Any property owner needing legal advice should consult an attorney.



About Green & Healthy Homes Initiative

The Green & Healthy Homes Initiative (GHHI) is a national nonprofit dedicated to breaking the link between unhealthy housing and unhealthy residents. Formerly known as the Coalition to End Childhood Lead Poisoning, GHHI replaces stand-alone housing intervention programs with an integrated, whole-house approach that produces sustainable green, healthy and safe homes. As a result, we are improving health, economic and social outcomes for families across the country.

GHHI serves as the national model for green and healthy homes interventions and is currently working in Austin, Atlanta, Baltimore, Buffalo, Chicago, Cleveland, Denver, Detroit, Dubuque, Flint, Jackson, Lansing, Lewiston Auburn, Marin County, Pittsburgh, New Haven, Philadelphia, Providence, Salt Lake, San Antonio and Staten Island.



Green & Healthy Homes Initiative

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Guide to Rental Property Owner Compliance

Maryland Reduction of Lead Risk in Housing Law



**Green & Healthy
Homes Initiative**



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NEW LAW CHANGE

Effective 1/1/15, the Maryland Reduction of Lead Risk in Housing Law is no longer optional for properties built between 1950-1978. It is now mandatory for all rental properties built before 1978.

What is an affected property?

- A residential rental property constructed prior to 1978

What properties are not covered by the Law?

- Properties constructed after 1978;
- Properties that are certified lead-free;
- Properties that are not offered for rent.

What are the requirements for property owners of affected properties?

To be in full compliance, an owner of an affected property must:

1. Register each affected property each year with the Maryland Department of the Environment (MDE) and pay a \$30 per unit annual fee. To register, visit www.mde.state.md.us or call MDE at 410-537-3825.
- *2. Deliver to tenants, by a verifiable method (written acknowledgment), copies of the Maryland "Notice of Tenant's Rights" and the EPA's "Protect Your Family From Lead In Your Home" pamphlet at the initiation of a tenancy and every two years thereafter (available at www.ghhi.org);
- *3. Deliver to tenants, by a verifiable method, a copy of the current inspection certificate for the affected property upon the execution of a lease or the initiation of a tenancy; and
- *4. Complete "Full Risk Reduction Treatments" in the affected property prior to occupancy by a new tenant and have the property inspected; or satisfy "Modified Risk Reduction Standards" in response to a Notice of Defect or Notice of Elevated Blood Lead Level from an existing tenant.

***NOTE: If you own a rental property constructed between 1950-1978 and did not previously elect to "opt-in" the property and comply with the law's full requirements, you must now meet the law's lead inspection certification requirements following a triggering event. A triggering event is a change in occupancy in an affected property or the rental property owner's receipt of a written Notice of Defect or Notice of Elevated Blood Lead Level regarding the property.**

NOTE: A landlord who wants to repossess an affected rental property built before 1978, pursuant to Real Property Article 8-401 (Failure To Pay Rent Complaint), must demonstrate compliance with the Reduction of Lead Risk in Housing Law.

What is the Full Risk Reduction Standard? (MD Annotated Code, Environment §6-815)

Full Risk Reduction Standard is required to be performed in an affected property at each change in occupancy. Full Risk Reduction Standard is satisfied by:

1. No chipping, peeling or flaking paint on the interior or exterior surfaces of the affected property. It must have been removed or repainted using lead-safe work practices.
2. Passing a lead dust test that meets the Maryland Lead Dust Clearance Standard and receiving an Inspection Certificate. Completion of Full Risk Reduction must be verified by an accredited, independent inspector to receive an Inspection Certificate.



What is the Modified Risk Reduction Standard? (MD Annotated Code, Environment §6-819)

The Modified Risk Reduction Standard is met by:

1. Passing a lead dust test that meets the Maryland Lead Dust Clearance Standard and receiving an Inspection Certificate, provided that any chipping, peeling or flaking paint in the property has been removed or repainted; AND
2. Completion of the Modified Risk Reduction Standard noted below. An owner must verify satisfaction of the work by submitting a report from an accredited inspector to the MDE.

- A. Visual inspection of all exterior and interior painted surfaces;
- B. The removal and repainting of any chipping, peeling or flaking paint on interior and exterior surfaces;
- C. Repair of any structural defects that are causing paint to chip, peel or flake that the landlord knows of or with exercise of reasonable care, should know of;
- D. Repainting, replacing or encapsulating all interior lead-based paint or untested painted windowsills with vinyl, aluminum or other approved materials in a manner approved by MDE;



- E. Ensuring that caps of vinyl, aluminum or other approved materials are installed in all window wells where lead-based paint or untested paint exists to make wells smooth and cleanable;
- F. Fixing the top sash of all windows to prevent friction caused by the opening and closing of windows (This does not apply to "lead-free" or "replacement" windows);
- G. Rehangng of all doors necessary to prevent the rubbing together of lead-painted surfaces with another surface;
- H. Ensuring that all kitchen and bathroom floors are overlaid with a smooth, water-resistant covering;
- I. HEPA vacuuming and wet-washing any area of the affected property where repairs were made.



Who can do the work?

1. Work that disturbs painted surfaces in affected properties must be done by lead certified workers.
2. Workers must be State certified by MDE and have their federal EPA Renovate, Repair and Painting renovator certification.

What are my responsibilities to existing tenants?

For existing tenants, a property owner is required to meet the Modified Risk Reduction Standard within 30 days of receipt of a written Notice of Defect or Notice of Elevated Blood Lead Level. A Notice of Defect or a Notice of Elevated Blood Lead Level are written notices that inform a property owner of chipping, peeling and flaking paint in their affected property, or a Person at Risk (child under age 6 or a pregnant woman) with an elevated blood lead level of 10 µg/dl (micrograms per deciliter) or greater is residing in the residence.



NOTE: A property owner who receives a Lead Violation Notice or any other government notice must also promptly satisfy that Violation to be in compliance with the Maryland Law.

For more information on the EPA Renovation, Repair and Painting Rule go to www.epa.gov/lead.