

Navigating lead-based-hazards disclosure

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Whether you are a home buyer, seller, renter or landlord, federal law requires disclosure of certain information about lead-based paint and lead-based paint hazards.

Although the disclosure process is usually well-covered when a real estate professional is involved, many real estate deals, and most rental transactions, do not involve a professional agent.

In addition, it is simply a good idea to protect yourself by understanding the rules.

What are the hazards of lead? Although lead is hazardous to everyone, studies show that children under the age of 7 are at the greatest risk of poisoning. Adult bodies tend to flush out as much as 99 percent of the lead ingested. Children, on the other hand, may flush out as little as 32 percent of ingested lead. Lead exposure can result in headaches, slowed growth and behavioral problems. The dangers of lead exposure vary with the amount of exposure and how early it is detected.

What are the requirements if I am selling or renting a house? In 1992 Congress passed the Lead Based Paint Hazard Reduction Act, also known as Title X. This law directs the Department of Housing and Urban Development and the Environmental Protection Agency to require sellers and landlords to disclose any known information about lead and lead-based hazards in the homes they are selling or renting. The law applies only to homes constructed prior to 1978.

More specifically, Title X requires that sellers and landlords provide the following information:

- 1.** Provide to the tenant or home purchaser a copy of the EPA pamphlet "Protect Your Family From Lead in Your Home."
- 2.** Provide any known information about lead or lead-based hazards in the home. This includes information about the location and condition of surfaces known to contain lead-based paint.
- 3.** Provide any existing reports or records concerning lead-based paint or paint hazards on the property.
- 4.** Provide an attachment to the sales contract or lease, including a lead warning statement and a statement verifying that the seller or landlord has complied with the notification requirements. This attachment must be in the same language as the sales contract or lease and must be signed by the seller and buyer or the landlord and tenant.
- 5.** Home sellers must provide buyers a 10-day period to conduct a lead risk assessment or inspection.

For additional information on lead and Title X, visit the EPA Web site at www.epa.gov/lead, or call the National Lead Information center at 1-800-424-LEAD (5323).