

Lead Paint Issues

As of September 21, 2007 - New Lead Based Paint Rider and Disclosure Form [Procedures](#)

We are instituting new procedures based on the new Lead-Based Paint Rider form added to Instant Forms online.

On March 6, 1996 the EPA and HUD published a final rule concerning Lead-Based Paint in housing. The rule requires person selling or leasing most residential housing built before 1978 to provide purchasers and renters with a federally approved lead hazard information pamphlet and to disclose known lead-based paint and/or lead based paint hazards.

The [requirements](#) of the rules are applicable as follows: (1) For owners of more than four residential dwellings, the requirements are applicable beginning on September 6, 1996, and (2) For owners of one to four residential dwellings, the requirements are applicable beginning on December 6, 1996.

Questions & Answers

Q - Are mobile homes included in the definition of "target housing" under the disclosure rule?

A - Yes. Mobile homes (manufactured housing) built before 1978 are included in the definition of "target housing". Although these units may have been constructed largely of pre-finished materials, some surfaces, both interior and exterior, may have been painted with lead-based paint. Houseboats, recreational vehicles, etc. are not considered "target housing."

Q - Are trustees intended to be exempt from the rules requirements? In the case of a trust, which party (the beneficial owner or the trustee) is expected to comply with the rule?

A - In cases where a trustee has been given authority to sell or lease target housing by a beneficial owner, the trustee would have the responsibility to comply with the requirements of this rule. Otherwise, the responsibility would rest with the beneficial owner.

Q - Are there any exemptions for the Lead Based Paint Disclosure, such as an estate?

A - No, there are no exceptions.