

## Lead-Based Paint Disclosure Laws

Lead-based paint is hazardous to your health. It is a major source of lead poisoning for children and can also affect adults. Research has shown that lead poisoning can cause irreversible brain damage and can impair mental functioning in children. It can retard mental and physical development and reduce attention span. It can also retard fetal development, even at extremely low levels of lead. In adults, it can cause irritability, poor muscle coordination, and nerve damage to the sense organs and nerves controlling the body.

To protect families from exposure to lead from paint, dust and soil, Congress passed the Residential Lead-Based Paint Hazard Reduction Act of 1992, also known as Title X. Section 1018 of this law directed HUD and EPA to require the disclosure of known information on lead-based paint and lead-based paint hazards before the sale or lease of most housing built before 1978. Exempt properties would include housing for senior citizens and no bedroom studio apartments as long as no children under the age of six are living there.

According to the Requirements of the Law: Before ratification of a contract for housing sale or lease, Sellers and Landlords must:

1. give an EPA-approved information pamphlet on identifying and controlling lead-based paint hazards (**“Protect Your Family From Lead In Your Home” pamphlet**).
2. **disclose any known information concerning lead-based paint or lead-based paint hazards.** The seller or landlord must also disclose information such as the location of the lead-based paint and/or lead-based paint hazards, and the condition of the painted surfaces.
3. **provide any records and reports on lead-based paint and/or lead-based paint hazards** which are available to the seller or landlord (for multi-unit buildings, this requirement includes records and reports concerning common areas and other units, when such information was obtained as a result of a building-wide evaluation).
4. **include an attachment to the contract or lease (or language inserted in the lease itself) which includes a Lead Warning Statement and confirms that the seller or landlord has complied with all notification requirements.** This attachment is to be provided in the same language used in the rest of the contract. Sellers or landlords, and agents, as well as homebuyers or tenants, must sign and date the attachment.
5. **Sellers must provide homebuyers a 10-day period to conduct a paint inspection or risk assessment** for lead-based paint or lead-based paint hazards. Parties may mutually agree, in writing, to lengthen or shorten the time period for inspection. Homebuyers may waive this inspection opportunity.

Sellers and lessors must retain a copy of the disclosures for no less than three years from the date of sale or the date the leasing period begins.

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