

**MASSACHUSETTS
DEPARTMENT OF
HOUSING & COMMUNITY
DEVELOPMENT**



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**HUD AND DHCD INSPECTION
TRAINING GUIDE**

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1. INTRODUCTION

HUD developed Housing Quality Standards (HQS) as a guide to ensure that program funding is used to provide housing that is decent, safe, and sanitary. The HQS is a minimum standard for the entire country that establishes standards that do not unduly restrict client access to housing and enables clients to utilize their rental assistance within the required time frames. The HQS intends to establish minimum criteria necessary for health and safety of occupants of assisted units. The minimum criteria contain both the Performance Requirements (*the objective of the standard*) and the Acceptability Criteria (*minimum level of conditions or performance to meet each standard*). In regions such as Massachusetts where there is a reasonable supply of rental units HUD allows local standards to be followed additional to the HQS so long as they do not prohibit client access to otherwise acceptable housing.

This guide provides direction to Inspectors regarding the minimum and acceptable criteria for units on the program. Additionally, this guide contains some general policy information on the inspections policies contained in the Administrative Plan. For detailed inspection policy information, staff must review the Administrative Plan.

1.1 Fair Housing Laws

It shall be unlawful for any person to refuse to permit reasonable modifications of existing premises, occupied or to be occupied by a handicapped person, if the proposed modifications may be necessary to afford the handicapped person full enjoyment of the premises.

Owners must also comply with Massachusetts law. Pursuant to Massachusetts General Laws Chapter 151B, in the case of publicly assisted housing, multiple dwelling housing consisting of ten or more units, or contiguously located housing consisting of ten or more units (see M.G.L. c. 151B, § 1 for definitions), reasonable modification of existing premises occupied or to be occupied by a person with a disability shall *be at the expense of the owner* or other person having the right of ownership if such modification is necessary to afford the person with a disability full enjoyment of the premises. A modification which is paid for by the owner or other person having the right of ownership is not considered to be reasonable if it would impose an undue hardship upon the owner or other person having the right of ownership and shall therefore not be required. [M.G.L. c. 151B, § 4(7A)].

The landlord may not increase, for persons with disabilities, any customarily required security deposit.

In the case of other housing where modifications are not required to be at the expense of the owner or other person having the right of ownership, and where such housing is rental and the modification to be paid for by the handicapped person will materially alter the marketability of the housing, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore, or pay for the cost of restoring the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted. [24 CFR 100.203; M.G.L. c. 151B, § 4(7A)].

See also 24 CFR Part 8 for obligations of recipients of federal financial assistance pursuant to the Rehabilitation Act and 28 CFR Part 35 for obligations of public housing authorities pursuant to the Americans with Disabilities Act.

1.2 About DHCD Requirements

DHCD is an agency of the Commonwealth of Massachusetts that contracts the administration of federal rental assistance to various agencies throughout the state. Since Massachusetts has a State Sanitary Code of standards for rental property, and HUD allows the adoption of local standards, DHCD has incorporated some aspects of the State Sanitary Code into its Administrative Plan to promote the safety of clients but not restrict their access to affordable housing.

Any time there are two sets of standards employed it is important to understand where one set ends and the other set begins. Hopefully reading this will aid you in gaining a better understanding of the inspection requirements so that you will be able to be as helpful as possible to all clients, both landlords and tenants, as well as providing your agency with inspection results that will help to identify them as a superior administrator.

1.3 Types of Inspections

The following are the inspection types that are completed on units in the Housing Choice and Project Based Housing Programs:

- Initial Inspections (aka pre-contract HQS inspection). The PHA conducts initial inspections in response to a request from the family to approve a unit for participation in the HCV program. The unit must pass the HQS inspection before the effective date of the HAP Contract.
- Annual Inspections. HUD requires the PHA to inspect each unit under lease at least annually to confirm that the unit continues to meet HQS. The inspection may be conducted in conjunction with the family's annual reexamination but also may be conducted separately.
- Biennial Inspections. The PHA inspects units to confirm that the unit continues to meet HQS. Implementation of the biennial inspections (once every two years) initiative begins with inspections taking place on or after December 1, 2012.
- HQS Quality Control Inspections: Three percent (3%) of all units under lease are audited each year. The 3% sample must be drawn from recently completed HQS inspections and represent a cross section of neighborhoods and inspectors. DHCD's Inspection Manager conducts audits and also requires each RAA to perform internal audits of units each quarter. The results are used to determine which RAAs need additional training. *Audits are a tool to aid inspectors to be the best that they can be.*

- **Biennial HQS Audit Inspections:** The PHA will conduct audit inspections on a 3% to 5% sample of units on the biennial inspection schedule. The audit inspections will be conducted twelve (12) months from the last regular biennial HQS inspection to confirm that units on the biennial inspection frequency continue to remain in compliance with HQS during the period between biennial inspections. The audit inspection will be completed using the same inspection process as the regular HQS inspection. Inspection frequency will not change at the time of an audit inspection. Inspection frequency will be reviewed and modified as needed at the time of regular HQS inspection. Further policy information on biennial audit inspections can be found in the Administrative Plan.
- **Biennial HQS Audit Inspections – Project Based:** The PHA will conduct audit inspections on a twenty (20%) sample of the units at each site on a biennial inspection schedule. The audit inspections will be conducted twelve (12) months from the regular biennial HQS inspection on the off year to confirm that units on the biennial inspection frequency continue to remain in compliance with HQS during the period between biennial inspections. The audit inspection will be completed using the same inspection process as the regular HQS inspection. Further policy information on project based biennial audit inspections can be found in the Administrative Plan.
- **Special Inspections.** A special inspection may be requested by the owner, the family, or the RAA as a result of problems identified with a unit between annual inspections.

1.4 Inspectors Access to Unit

- Access for inspections is required within specific timeframes. All areas of the building must be made accessible for inspection to assure compliance with all HUD and DHCD Inspection Requirements. Occasionally, certain areas of a building are not readily accessible for inspection. Most common are locked basements and utility rooms of large buildings.
- While the owner has the right to deny tenants access to certain spaces, it is required that inspectors be allowed to access all areas of the building. An owner's refusal to grant access to all areas for inspection is grounds for withholding of rent or termination.
- If access to the unit is impeded because there is no way for the inspector to notify the household that he/she has arrived at the unit for inspection, doorbells and/or buzzers may be required. Battery operated doorbells/buzzers are acceptable. It is the tenant's responsibility to ensure that battery operated devices are in service.
- It is the tenant's responsibility to have an adult 18 years of age or older present whenever an inspection of the unit is conducted. Since tenants cannot always be available at the scheduled inspection time, if the owner/agent agrees to be present to provide access for the inspection the tenant must provide a written authorization in advance of the inspection.

1.5 HQS Enforcement

Failed inspection files due to life threatening HQS deficiencies must be corrected within 24 hours. All other HQS deficiencies must be corrected within 30 days or within an agency approved extension. If any HQS deficiencies are not corrected timely, the agency must stop or abate the rent payment or take prompt and vigorous action to enforce the family obligations. *It is very important that inspectors properly identify life threatening HQS violations and that they document all extensions given to the owner to complete repairs.*

1.6 Rent Reasonableness

The agency must have a written method to determine rent reasonableness in its administrative plan and document that the rent to owner is reasonable for comparable unassisted units. It is understood that most inspectors are not solely responsible for rent reasonableness. This is to emphasize the importance of inspector ability to accurately grade units and properly identify rooms for the purpose of utility calculation. *Rent reasonableness is so important because if program rents are higher than the market rents for unassisted units, families not on the program could be displaced by program tenants.*

1.7 Unit Grading

DHCD requires that unit grades be entered into the Internet Based Inspection Audit Reporting System. It is required that RAAs document and maintain this information on file. All units are graded for the purpose of rent negotiation.

Features that speak to unit desirability are often personal in nature. For example, one client may agree to lease a unit because it is close to his/her doctor. DCHD will use only factors that drive the market rent of the unit in determining unit grade. DHCD requires all RAAs to adopt fair and consistent practices for grading units as accurately as possible.

DHCD strives to ensure that:

1. Units are safe, decent and sanitary and
2. Participating owners receive reasonable rent for these units.

The unit grading criteria outlined in this document provides guidance on factors that must be considered and which impact unit value. It is not necessary for any unit to meet all of the criteria in any category for it to be so graded, but a reasonable combination of some factors within each category, when fairly applied, will give an accurate reflection of the value of the unit. Not every possible factor could be listed, so it is important for inspectors to seek guidance from their Inspection Supervisor when it is needed.

Plus or minus grades may be used to more adequately fine tune the perceived value of the unit for rent negotiations when factors present are logically determined to fall

between two differing unit grades. C- Grades are NOT to be considered or used (See C Grade). Similarly, A+ Grades are unnecessary as well.

In order to be considered for the Section 8 Project Based Assistance Voucher Program (PBA), units MUST meet criteria for Grade B+ at a minimum.

The final determination of the unit grade shall be the responsibility of the inspector.

1.8 DHCD Unit Grading Criteria

"A" Unit

- Unit/building interior, exterior and common areas are in excellent condition, newly or recently constructed or rehabbed with good quality materials and workmanship and provide an excellent thermal environment with direct heat sources in living/sleeping rooms.
- Appliances and fixtures are owner supplied and are new and/or of good quality. Tenant supplied appliances will not affect grade if owner supplied were offered and declined in favor of the tenant's own.
- Flooring is in excellent condition at move in.
- Unit has sufficient cabinets and closets and/or common area storage in an accessible basement or attic.
- There are no existing asbestos or lead based paint hazards and there is pro-active maintenance if either material is present.
- Electrical system and number of outlets per room demotes the need to use extension cords.
- Fire exits meet current standards (full door and stairway) and are properly maintained. Smoke detectors and carbon monoxide detectors are hard wired with battery back-up.
- Good roof water management prevents icing of stairways and prevents interior air quality issues relating to moisture and/or mold.
- There are no structural issues within the building or porches, and stairs, walkways, drive and parking areas are free of trip hazards.
- Has numerous extra amenities that clearly add to the desirability of the unit such as:
 - ✓ Off-street or designated parking
 - ✓ Additional bathrooms
 - ✓ Large or additional rooms
 - ✓ Washer/dryer hook up or laundry facility
 - ✓ Enclosed porch or patio/deck
 - ✓ Tenant access to pool, gym or other amenity
 - ✓ Modern and efficient climate control
 - ✓ On-site maintenance / security personnel or device
 - ✓ Has been adapted for persons with disabilities
- Obvious on-going maintenance of the unit and building as well as good tenant selection practices by the owner or management.

- No evident site and/or neighborhood conditions that could adversely impact the tenant considering family composition.

In general, required work is completed most often with one but not more than two re-inspections, considerate of seasonal repairs and/or weather. Owner is responsive to inspection comment items. Trash containment and pick up as well as snow removal is provided as needed. A- Grade may be considered for fine tuning the unit value for rent negotiations. A+ Grade is generally unnecessary.

"B" UNIT

- Unit/building is in good condition. Appliances, fixtures and other features are modern and fully functional.
- Recent renovation including interior, exterior and common area spaces with average quality materials does not substantially increase the overall value of the unit or building.
- Overall condition of the unit/building is above average and provides a better than average thermal environment (windows, direct heat sources in each living/sleeping room). If indirect heat sources are utilized, the owner is receptive to utilizing options such as louvered doors and/or ceiling fans if needed.
- Electrical system and number of outlets may preexist current standards, but are adequate to demote the use of extension cords.
- Fire exits and smoke detectors may preexist current standards but are well maintained and are functional to meet the needs of the occupants considerate of the family composition. Carbon monoxide detectors are properly located and maintained.
- Any asbestos and/or lead based paint is proactively maintained.
- Unit/building is free of evidence of excess moisture, mold and/or interior air quality issues. (Older homes with stone/brick foundations may exhibit some limited water penetration in the basement at times.)
- Has at least one extra feature that adds to desirability (porch, yard, security system, near recreational area or other facility, extra-large rooms, adequate closets and/or storage).
- Could otherwise be an A unit except for the quality of renovation work and/or the need for more aggressive preventive maintenance by the owner. Perhaps would be an A unit if the appliances or utilities were owner supplied.
- Site conditions are adequate but some neighborhood conditions may exist but do not pose an imminent risk to the tenant/family.
- Owner may or may not occupy the property but posts emergency contact and is responsive. Services such as trash pickup and snow removal is adequate.

B units are of above-average quality and are generally well maintained. (Example: Could be a C+ unit that has been adapted for a person with disabilities.) Often two or sometimes three re-inspections are required to complete required repairs, but rent withholds for inspection non-compliance are not routine. B+ or B- Grades may be used to more adequately fine tune the perceived value of the unit for rent negotiation.

B+ Grade: May be used when a reasonable combination of B factors and A Grade extra amenities are present. At minimum, this grade must be met for consideration for HCVP

Project-Based assistance. Direct heat sources are required for B+ grade criteria.

"C" UNIT

- Unit is in average condition, but with normal wear and tear, two or more HQS fail items will likely occur within the inspection pass date and the next annual inspection.
- Appliances and unit features are dated but functional.
- The electrical system is adequate but lacking sufficient outlets to demote the use of extension cords.
- Fire exits and smoke detector systems are adequate and functional considerate of the family composition. Carbon monoxide detectors are properly located and maintained.
- Maintenance appears to be performed on an as-needed basis with little or no evidence of preventive maintenance. Tenant selection and screening may be minimal. The unit may not be well prepared between tenants.
- The thermal environment is average or somewhat below average with old windows and/or older, less efficient heating system likely to result in higher utility costs.
- If present, asbestos and/or lead based paint is not proactively maintained but owner will cooperate if required.
- The condition of porches, stairs and walkways may show signs of age and may require repairs.
- Common areas are often lacking sufficient lighting and cleaning.
- Trash containers may be lacking and the basement may contain excess debris and some old appliances that need to be discarded.
- The possibility of pest infestation exists.
- Gutters/downspouts may be lacking, damaged or missing and the roof may be nearing the end of its service life.
- Site and neighborhood conditions exist but do not directly impact the tenant/family and the owner is willing to or has taken preventive safety measures.

While some C Grade units appear sparse but solid, some others may appear to have once been beautiful apartments. In a lower end C unit the effects of tenant wear and tear are evident. It is likely that three or more re-inspections may be required and rent withholds are not uncommon. A C unit grade represents a solid average rental unit. C+ Grades may be used to fine tune the unit value for rent negotiations, but C- Grades may not be used as they are too prone to subjective compromises and frequently become a D Grade before the next annual inspection. Inspectors must give guidance to achieving at minimum a C Grade.

"D" UNIT

- Unit is in unsatisfactory condition and in need of renovation to be considered safe, decent and sanitary for lease to the program.
- Major building systems (roof, siding, plumbing, electrical, heat, etc.) are at the end of their service life and/or are suspect.
- Little or no ongoing maintenance of the property by the owner and multiple layers of poor quality repairs exist.
- Structural problems are apparent or progressing in the building or porches such as bowing, excess settlement or leaning, and/or masonry failure

- Air quality issues relating to lack of maintenance of lead based paint, unkeyed or failing plaster, asbestos or excess moisture and mold.
- Poor quality rehab, crossed utilities, questionable fire exits or other evidence of unprofessional rearrangement of the building.
- A poor quality thermal environment that will generate high utility costs to the tenant such as drafty old windows or poorly fit replacements, holes or rot in the exterior siding.
- Site and neighborhood conditions that present a risk to the tenant considering the family composition such as a lack of security, unsecured abandoned buildings, history or evidence of high crime, drug or gang activity, bullet holes and vagrants in the building.
- Deteriorated outbuildings, excessive amounts of debris in basement or on grounds and fire hazards.
- Owner-supplied utilities or water may have been shut off to the detriment of the tenants. (If possible, ask other occupants)
- Conditions that will likely result in a fail condition within the next ninety days that will ultimately affect the agency audit fail rate and create increased costs due to excess re-inspections.

DHCD does not authorize leasing of units that merit this grade. Owners are often uncooperative, and terminations often result putting the client under pressure to relocate. Rent requests often far exceed the value of the unit.

Inspection staff should give the owner clear guidance on what repairs are required for the building/unit to meet a grade C or better. It is important that this be done as politely and professionally as possible. Increased unit value may cover the cost of repairs over time. The goal is to help the owner maintain the value of the property, stabilize the tax base and maintain viable affordable housing resources.

1.9 Quality Assurance Audit Inspections

Three percent (3%) of all units under lease are required to be audited for quality assurance. DHCD conducts audits of recently completed passed inspections each quarter and agency inspection supervisors conduct in house audits as well. The point of audit inspections is not to shame or frighten inspectors. The purpose of audits is to identify areas where inspectors require additional training so that they may do the best job possible to ensure that HUD's mission of providing safe, decent, and sanitary housing for all clients is being accomplished. Inspectors are responsible for effectively communicating a good deal of information and changes in regulations can complicate understanding for even the most seasoned of veteran inspectors. Audits help keep inspectors mindful of the current program requirements.

1.10 Test Equipment

There are some testing devices that will aid in the completion of a good inspection. Use of these devices is optional but advisable. The DHCD inspection auditor will often employ the use of testing devices. A flashlight, tape measure, circuit tester or volt tick, a small mirror, and a pocket thermometer are all helpful and useful tools. It is suggested

that all inspectors have these items with them.

1.11 HQS Responsibilities

All parties involved in the leasing process have responsibilities. It is of benefit to all concerned for each party to understand their role.

Inspector Responsibilities

Inspectors are responsible to inspect each unit objectively and fairly without regard to personal preferences.

- Identify those HQS fail items that present an immediate threat to the life and safety of the occupants and ensure follow up according to the agency 24-hour violation policy.
- Identify non-life threatening HQS fail items and allow adequate time for the completion of repairs prior to the implementation of financial penalties.
- Document well all instances where extensions are approved for the completion of repairs.
- Identify those HQS fail items that may be a violation of the Family Obligations for which the occupants may be required to correct or possibly face termination from the program.
- Grade units and identify marginal units.
- Attempt to identify and report instances of fraud or program abuse.
- Report instances of child neglect or abuse for referral to appropriate services.
- Hold and/or abate the HAP payment to owners who do not complete required repairs within the allotted time frame.
- Properly identify housing type and provide accurate room count for utility calculations
- Complete all forms as legibly and clearly as possible to assist those responsible for completing the listed repairs and remembering that the agency is the keeper of records for court purposes. It is very important that the work appear as clear and professional as possible when scrutinized for any reason.
- Report to all concerned, all inspection results.
- Identify and record PASS, FAIL, PASS WITH COMMENT, 24 HOUR and TENANT CAUSED items accurately.

All inspectors should employ a multi-sensory approach to inspection. This means that it is important to use your vision but to also listen, smell, and touch to identify hazards.

Owner Responsibilities

Comply with the terms and conditions of the lease agreement and HAP contract

- Maintain the unit in compliance with the HQS.
- Accomplish required repairs promptly.
- Cooperate with the agency to accomplish inspections and reinspections of repairs.

Tenant Responsibilities (Family Obligations)

- Comply with the term and provisions of the lease agreement.
- Keep the unit in safe and sanitary condition.
- Be responsible for tenant caused damage to the unit.
- Inform the owner when repairs are needed to maintain HQS compliance.
- Cooperate with the agency in the completion of the inspection process.

1.12 Individuals with Hearing Disabilities

- Carbon monoxide and smoke detectors are required for the hearing disabled.
- Smoke detectors must be installed in the bedroom, adjacent to or directly outside the bedroom occupied by the hearing disabled individual.
- Owners are encouraged to provide doorbells for individuals with hearing disabilities.
- Accommodations provided by owners for individuals with hearing disabilities may be a consideration in unit grading for reasonable rent.

1.13 24-hour Violations

The HQS requires the correction of conditions that pose an *immediate* threat to the health and safety of the occupants within 24 hours. The DHCD Admin. Plan gives guidance for inspectors. 24-Hour Violations can also be tenant caused and may result in termination of assistance for failure to correct. In these instances it is important that the owner is not unfairly penalized with rent stoppage or prorated abatement. When the owner is responsible, the RAA must contact the owner by phone within 24 hours and the call must be followed up in writing. The following month's rent may be prorated for noncompliance for failure to repair the condition or termination of the contract may result. All instances of 24-Hour Violation conditions should be brought to the attention of the Inspection Supervisor. If an inspector is unsure of how to proceed it is imperative that they consult the Inspection Supervisor for guidance so that the agency's 24-Hour Violation policy is followed.

1.14 Tenant Caused Violations

When determination is possible, it is important that inspectors correctly identify tenant caused violations. In this way owners are not treated unfairly and will be less likely to refuse to rent to another program participant. Tenant Caused Violations contribute to the negative stigmatization of program participants and make it more difficult for clients to utilize their subsidy. Some instances of tenant caused violations include malicious damage, poor housekeeping, poor upkeep of pets or any other condition that endangers the building or occupants. Often, in the case of several maliciously or repeatedly damaged doors, the owner can be given the option of repair or removal of the doors (except on entry or bathroom) so that the tenant may hang curtains instead. This is not acceptable for new lease ups. It is important that inspectors make the Inspection Supervisor aware of these instances to ensure uniform implementation of the policy. Tenant must correct tenant caused violations within the same time period as other HQS serious and routine violations. The PHA will take prompt and vigorous action against tenants who do not correct HQS violations within the allotted time frames. **Owners remain entirely responsible for the safe treatment of all lead based paint**

maintenance and repair activities under the Mass. Law and EPA RRP Rule.

1.15 Marginal Units

HUD defines marginal units to be those that are likely to fall below HQS within a year. DHCD and its RAAs recognize the problem of maintaining marginal units on the Section 8 Program. Frequently, an inspector will return to a unit and note the same condition of one or more aspects of the unit that do not cause a fail condition outright, but clearly pose the likelihood of deterioration or where a fail condition could easily occur prior to the next annual inspection. Often, repairs are made, but are themselves marginal. Failure to maintain compliance may be due to inadequate attention on the part of the owner or management agent, excess or undue wear and tear on the part of the tenant, and/or the impact of neighborhood conditions. Tackling the problem of marginal units is difficult for several reasons. A tight housing market limits the number of units available to Section 8 tenants. Imposing more stringent inspection standards may result in owners refusing to participate making it very difficult for tenants to find housing even when available.

Marginal units are units that are not well maintained. Hazard site and neighborhood conditions, multiple layers of poor quality repairs, and poor tenant screening and selection are all considerations in determining whether a unit is marginal. Other conditions such as worn out roofing, siding in poor condition, wood rot, structural instability, lead paint or asbestos hazards are also considerations in determining that a unit is marginal. Factors that contribute to marginal conditions can be owner neglect or tenant caused. **Proper Improvement to Marginal Units result in units qualifying for higher unit grades, and resulting higher rent amounts.** Accurate identification of marginal units and the resulting work with owners to establish a work plan that prioritizes repairs and setting specific time frames to accomplish established goals will avoid termination of the HAP contract. Adherence to the Marginal Unit Policy will also prevent new lease up of marginal units. It is important that all inspectors make their Inspection Supervisor aware of these instances so that guidance will ensure uniform implementation of the policy.

DHCD and its RAAs reserve the right to refuse to lease new units deemed marginal. A work plan may be required when correcting the problems in a marginal unit. RAAs may elect to terminate the HAP contract or conduct additional marginal unit inspections and may consider an owner or tenant history of non-compliance when making this decision.

1.16 Fraud and Program Abuse

Another factor that contributes to negative stigmatization of rental assistance programs is unreported income by program participants. When clients receive more subsidy dollars than they are eligible for, fewer families can be helped. Inspectors, as the eyes and ears of the program, must be on the lookout for fraud and errors. Agencies should always furnish the most current family compositions available on inspection checklists and inspectors should always verify the family composition as part of the inspection. This will help ensure that children under 6 years old are identified for Lead Compliance requirements and that unlisted persons who may have income are not present. It is

advisable for inspectors, if possible, to look at the mailbox for multiple names. Some key indicators that may clue an inspector that there could be unreported income may be the presence of a lot of high end belongings such as multiple big screen televisions, expensive stereo components, computers and or furnishings. Other times the presence of an adult who claims to live elsewhere but happens to know every little defect in a unit is a tip off. These are instances when it is important for inspectors to verify the family composition. It is also a good time for inspectors to check inside closets for wiring or plumbing defects. This affords an opportunity to look for clothing, shoes, uniforms or other belongings that may indicate that an unlisted person resides in the unit. If an inspector feels that reporting a situation may endanger them in any way, it is advisable for them to report it to the Inspection Supervisor so that the unit may be selected for audit inspection and correction.

1.17 Site and Neighborhood Conditions

Identifying hazard site conditions requires that inspectors are aware of the family composition so that good judgment can be used in making determinations. When children or persons with disabilities in the family composition are vulnerable to hazard site and neighborhood conditions inspectors must ensure correction of the hazard condition. Some examples may include a location adjacent to unsecured abandoned buildings or perhaps the neighborhood has drug or criminal activity. Other examples may include failed retaining walls, no fence along an active railroad bed or run off river, dead or damaged trees with hanging branches, large accumulations of garbage or debris, improper clearances of electric service lines and unprotected heights or drop offs. There are numerous conditions that could be perceived to present a hazard. Not all inspectors are going to see these conditions the same way. As in other instances of inspector uncertainty it is important that guidance is available from the Inspection Supervisor.

2. HQS STANDARDS

HUD requires that all units occupied by families receiving Housing Choice Voucher (HCV) assistance meet HUD's Housing Quality Standards (HQS) and permits the PHA to establish additional requirements. The use of the term "HQS" in this plan refers to the combination of both HUD and the PHA-established requirements. HQS inspections are required before the Housing Assistance Payments (HAP) Contract is signed and regularly during the term of the contract. Outlined below are the physical standards required of units occupied by HCV-assisted families. DHCD inspection requirements, including DHCD's MTW inspection policies, are supplemental to HUD's Housing Quality Standards for the Housing Choice Voucher, Project Based and Moderate Rehabilitation Programs.

3. GENERAL UNIT STANDARDS

Some room components are generic. Ceilings, walls, floors and windows are generally present in each room. Units must have at least 1 room besides the kitchen and bath to qualify as a 1 bedroom unit.

3.1 Screens

- Upon initial inspection at least one screen per room is required to pass inspection. A screen door will satisfy this requirement.
- Screens may be permanently installed or expandable.
- The inspector shall ensure that the appropriate number of screens is available regardless of the time of year.
- The screens may be removed and stored for the winter. During the time between October 31st and March 31st an extension of time to comply may be given to the owner. Tenants may be held responsible for damage to the screens caused by occupants under the Family Obligations.
- A bathroom with no vent fan must have a screen in the window.
- If a tenant complains of too few screens they shall be directed to the local Board of Health.

3.2 Counting Rooms for Utility and Rent Calculation

In order for a room to be counted as a bedroom it must meet the requirements for floor space (70 sq. ft. for 1 occupant or 100 sq. ft. for 2 occupants), electrical (1 outlet and a permanently installed light or 2 outlets with no light) and window (sufficient natural light and ventilation). Sometimes a dining room can be counted as a bedroom if the criteria is met, but dining rooms are not automatically counted as bedrooms. The family voucher size would be considered in the determination. Not all units have a bedroom.

Some examples of unit configurations follow:

- Single Room Occupancy (SRO) – a single room used for living and sleeping by one person only, must contain 110 sq. ft. and 4 sq. ft. of closet space and 1 bathroom for each 6 persons (per HQS). Most SROs share bath and kitchen facilities.
- Efficiency Apartment – generally utilizes 1 room for living, sleeping, kitchen, and contains a bathroom (beware of gas stoves in sleeping room). Requires 150sq ft. of floor space.
- Zero Bedroom Apartment – an Efficiency Apartment is one type of Zero Bedroom unit but another type might be a unit that contains 2 rooms (and bath) 1 of which is living space that does not meet the performance standard for consideration as a bedroom with regard to floor space, electrical or window requirements.

3.3 Ceilings

HQS Requirements:

- Ceilings are required to be structurally sound, free of large holes, water damage, and free of defects that allow severe drafts and the entry of weather.
- Ceilings must be free of large sections of loose or falling plaster or if ceiling tiles are present there must not be sections missing.
- In older buildings (pre 1978) with occupants under 6 years of age defective surface materials will fail.

- Defective paint and plaster in food storage or service areas shall fail regardless of the presence of children under 6 yrs. old.

Pass with Comment:

- Minor buckling, small holes or cracks that do not give to pressure, old (minor) water spots that are not active leaks, and somewhat dirty surfaces.

DHCD Requirements:

- Dwelling units are required to contain at least 150 sq. ft. of floor space (Mass State Sanitary Code). Ceiling height in all habitable rooms must not be hazardous for their use. The floor space shall not be counted when computing the total floor area of either the room or the dwelling unit if the ceiling height is below 5 feet.
- Below Grade Space: No room may be used for living if more than half its ceiling height is below the grade of the adjoining ground and the room is subject to chronic dampness.
- The Mass. Lead Law applies to all units housing children under 6 years old. Holes that expose electrical wiring or conditions that create harborage for insects in cases of chronic infestation will fail. The presence of mold is an indication of leaks, chronic dampness, or inadequate ventilation and requires treatment. Ceiling heights must not be hazardous for room use.

3.4 Walls

HQS Requirements:

- Walls must be structurally sound and free of serious defects.
- A fail rating is required for severe leaning, buckling, or bulging, damaged or loose structural members, large holes, holes that expose any wiring or electrical boxes, holes that allow drafts to enter the unit, or defective surfaces when children under 6 years old reside in an older (pre 1978) unit.
- Defective paint in food storage or service areas shall fail regardless of the presence of children under 6 yrs. old.

Pass with Comment:

- Structurally sound walls that have small or shallow holes, minor loose spots, coarse patch spot, and leaning or bulging consistent with age that is not evidence of structural failure.

DHCD Requirements:

- Mass. Lead Law applies to all units housing children under 6 years old.
- The presence of mold, active leak damage, or holes that permit chronic infestation will fail.
- Accumulation of filth and unsanitary conditions may fail as Tenant Caused.

3.5 Floors

HQS Requirements:

- Floors must be free of serious defects or the potential for collapse.
- A fail rating is required for severe buckling, major or noticeable movement when walked on, large sections of missing flooring, damage to flooring or subflooring that allows drafts or promotes infestation, floors with worn out finishes that allow a splinter hazard, and tripping hazards.
- Weak or rotted sections will result in a fail rating.
- A missing floor register creates a hole that results in a fail rating.

Pass with Comment:

- Minor movement, blemishes or defects that do not create a tripping hazard, worn or scratched finish with no splinter hazard, and minor cracked or missing tiles.

DHCD Requirements:

- May require caulking or finishing to inhibit the loss of adhesion, growth of mold, or water damage to subflooring in kitchens and bathrooms and other locations where water related problems may occur.
- Carpet is acceptable so long as it is not in unsanitary condition.
- The accumulation of filth or unsanitary conditions may fail as Tenant Caused.

3.6 Windows

There are many types of windows that inspectors will come across. All inspectors should familiarize themselves with the different types and methods to complete basic repairs.

HQS Requirements:

Location and Openability: The requirements for openability vary by room type.

- Living Room: Requires a window but it does not have to be openable.
- Kitchen: No window requirement.
- Dining Room: No window requirement.
- Bedroom (or any other room used for sleeping): Window is required and must be openable if designed to be openable. Evaluate skylights as any other window. (Some building code exceptions exist.)
- All Bathrooms: If a window is present it must be openable and have a screen. If no window is present an exhaust ventilation system is required. Approvable ventilation systems are electric exhaust fans, gravity flow vents, and ventilation shafts designed to permit air to escape to the exterior. If a fixed or unopenable window is present with an approved ventilation system, the unit will pass.

HQS Fail Rating Required for:

- Missing or broken panes;

- Dangerously loose cracked panes and cracked panes that are a cut hazard;
- Accessible windows that cannot be locked;
- Poorly fit windows that allow serious drafts;
- Double hung windows that slam shut due to the lack of sash cords or balance springs;
- Severely deteriorated or rotted windows;
- Defective paint or glazing putty in older home with children under 6 years old in residence; and
- Casement and Awning windows disconnected from the guide arm and will swing in the wind.

Pass with Comment:

- Minor non-cut hazard cracked panes; and
- Failed thermo seals in double insulated sashes.

Inspection Tips:

- When inspecting windows above the first floor it is a good idea to observe the height of the window sill above the floor for the potential for children to fall out. If the sill is below 24 inches and the window is not a fire escape window, fall guards should be suggested. Owners should be advised to check with the local fire department or local Board of Health for acceptability.
- Only approved window fall guards available at larger home supply centers should be used. Owners should not make their own. Fall guards must not be installed on fire escape windows. If an owner refuses to install them, an alternative may be to immobilize the bottom sash and allow only the top sash to be operable.
- If the furniture in a child's room is positioned so as to provide easy access to the window the tenant should be advised to reorganize the room to eliminate furniture providing "ladder" access to the window. If the unit windows have security bars at least 1 set of the bars must be operable to allow fire egress.

3.7 Smoke Detectors

(This is a General Health and Safety item)

HQS Requirements:

- Effective October, 30th, 1992, HQS was amended to require that each dwelling unit be equipped with at least 1 working smoke detector on each level of the unit and in the basement. Either the hard-wired or battery type of smoke detectors is approvable.
- Smoke detectors should be located adjacent to sleeping areas whenever possible.
- Incidents of tenants disconnecting the power source to smoke detectors may fail as

tenant caused.

- Some local fire departments require more than 1 smoke detector in the unit.
- All required smoke detectors must be operable.

DHCD Requirements:

- As well as meeting the HUD requirement of 1 smoke detector on each level of the unit and in the basement, DHCD requires that at least 1 smoke detector be installed in each common hallway. Any level is acceptable; however, the top level is recommended.
- If the tenant has access to the attic for storage on a regular basis, a smoke detector is required in the attic as well.
- Smoke detectors installed in kitchens or near bathrooms that are routinely disabled by the tenant should be relocated in each bedroom.
- A smoke detector must be installed in sleeping rooms located away from the primary smoke detector.

Detectors for the Hearing Disabled:

- If the unit is to be occupied by an individual with hearing disability, the owner must install a smoke detector designed for the hearing disabilities. It must be installed in the bedroom occupied by the individual with hearing disabilities or adjacent to or outside the bedroom.
- Owners who adapt a unit for those clients with special needs may receive consideration with regard to unit grade and rent amount.

Inspection Tips:

- Smoke detectors must be loud enough to be heard throughout the area they are intended to serve while air conditioning or other appliances are operating and doors are closed.
- Any hard-wired smoke detectors must be on an unswitched portion of a branch circuit or on a dedicated circuit.

Locations for Smoke Detectors: (Local fire marshals may differ - Make suggestions to help ensure that the unit is in compliance).

- In rooms with ceiling slopes more than 1 foot of rise per 8 feet, the smoke detector should be on the high side of the room.
- A smoke detector in a stairwell should be placed so that no door or other obstruction will prevent rising smoke from reaching the detector.
- If mounted on the ceiling, the detector should be at least 4 inches from any wall. If mounted on a wall the detector should be no less than 4 inches and no more than 12 inches from the ceiling. And if the wall or ceiling is poorly insulated and likely to be considerably hotter or colder, the detector should be mounted on an inside wall.
- If installed in an area with an open joist ceiling, the detector should be installed on

the bottom of a joist.

- Unless specifically listed for this purpose, detectors should not be located in or within 3 feet of a kitchen or bathroom containing a tub or shower.

3.8 Carbon Monoxide Detectors

(This is a General Health and Safety item)

Carbon Monoxide Detectors:

- Carbon monoxide detectors must be present in accordance with Massachusetts law. Defer to the local fire department requirements for placement. General requirement is 1 per floor of the unit.
- They must be located within 10 feet of bedrooms or more than 1 may be required.
- Spaces adjoining rooms containing CO producing appliances (fireplaces and gas clothes dryers are included) must have a Carbon Monoxide detector.
- Units that are all electric and have no Carbon Monoxide producing appliances do not require Carbon Monoxide detectors.
- Owners must provide carbon monoxide detectors for individuals with hearing disabilities.

4. BASIC STANDARDS FOR LIVING/SLEEPING ROOMS

4.1 Electricity

HQS Requirements:

- Living room must have either 2 working outlets or 1 working outlet and an operational, permanently mounted and wired wall or overhead light fixture.
- A duplex receptacle does not constitute 2 outlets.

HQS fail rating required for:

- Broken switches and outlets;
- Missing or broken switch or outlet covers;
- Missing junction box covers or exposed wire connections;
- Switches and outlets loose in box (loose switches or outlets can arc and cause fires);
- Switch or outlet boxes not secured in or on wall;
- Outlets or switches with evidence of scorching, sparking, or shocks;
- Broken or frayed wires and uninsulated wires (look closely at old style knob and tube wiring);
- Dead outlet (dead outlets should be repaired if required to meet criteria or fitted with solid covers for safety);
- Visible loose or improper wiring;

- Light fixture hanging on wires (check to see if pendant or hanging type light fixtures in halls and older homes are properly hanging on the chain, not on the wires);
- Non-metallic wiring on any surface where it can easily be cut, broken, or otherwise damaged (conduit is required on exposed wiring where accessible in traffic areas);
- Lamp cord used as a permanent component of the wiring system;
- Wiring or cords run under rugs or flooring or through doorways (Mass State Sanitary Code);
- Overloaded outlets or circuits (look for octopus wiring or an accumulation of blown fuses near the box);
- Exposed fuse connections;
- Missing knockouts in service panel;
- Disconnected grounding conductor (generally disconnected when a water meter is installed, often it is not reconnected);
- Unsafe clearances at exterior service entrance conductors (may require approval by local wiring inspector to meet State and National Electric Codes); and
- Defective insulation jacket on service entrance conductors (worn or damaged insulation on the exterior service entrance conductor will/can allow water to enter the service panel).

DHCD Requirements:

- There must be no open spaces in the circuit panel box that allow contact with live conductors.
- Recommend the installation of blank space fillers to prevent shocks.
- Ensure there are an adequate number of screws to secure the face cover of the circuit box present.

Inspection Tips:

- Service drop wires: Service drop wires must be secured to the house at some point unless the service is underground (lateral). It is important that the wires are not positioned so as to allow an occupant to contact them. Often they are reachable from the second floor porch or from a deck that has been added or sometimes from a window. Other times when a railing is added children standing on the railing can contact the wires. Sometimes inadequate clearances is a tip off that a porch or deck has been added without a permit and it is a good practice to look at the construction of the porch or deck for safety. Other times installing a barrier or plywood wall can solve the problem inexpensively for the owner.
- Service wiring clearances: There are some code specific clearances for the service wiring. These National Electric Code clearances should be used as guidelines (do not measure). If wires are found to be significantly more reachable, approval from the local wiring inspector may be required. Service entrance wires should be 10 feet above grade, 12 feet above driveways, and 3 feet from windows or doors (the exception is for at the top of a window).

- Service entrance wire: Beware of sloppy installations where the service entrance wire is in contact with aluminum gutters (shock hazard). Poor condition on the outer insulation of the service entrance wire can allow water to enter the meter and circuit panel boxes. Many times a coat of paint on the worn outer insulation will stop water penetration and save clients from an expensive emergency repair. This can pass inspection and buy the owner time to budget for replacement.
- Other hazards: Other hazards requiring a fail rating may exist. Not all electrical fail items require correction within 24 hours; however, any electrical hazard that presents an immediate threat to the life safety of the occupants must be recorded as a 24-hour violation. Also, look closely for unsupported wiring under the kitchen sink, and look for Romex connectors on any J-boxes or garbage disposals in these locations to be sure the connection does not separate allowing a live wire end to become exposed.
- Worn outlets: Ask the tenant if any of the outlets are so worn out that the plug end of a cord falls out. When an outlet wears out this way, resistance builds up at the connection in the form of heat. Many times the cover plate of a worn out outlet will be hot to the touch. Also, remember that not all electrical parts are interchangeable. All electrical parts must be used for their intended application (no knob and tube light fixtures on a Romex wire, etc.).
- Wires: Look at the location of any exposed wires to ensure that they are not located where they can be damaged by impact. Conduit or wire-molding protection is required. And always look to see that wires are supported with insulated staples. Nails bent over wires for support are not acceptable.
- It is a good idea to carry some blank space fillers in assorted sizes to give to owners that need them. They are available at the big supply houses or electrical supply stores at very low cost, and installation is simple with no tools required. Also, the presence of considerable rust on the circuit box may be a sign of worn service entrance wire insulation allowing water to enter the wire and the circuit box. If rusty be sure to inspect the exterior electric service entrance wire.

4.2 Space/Natural Light

HQS Requirements:

- At least one living room that is not a kitchen or a bathroom is required to ensure that there is adequate living space for the occupant.
- An efficiency-type design with a kitchen area incorporated into the living/sleeping room is allowable.
- Units must be lockable. This includes entries, doors to common attics, basements and hatches.

DHCD Requirement

- Every room intended for use for sleeping must contain at least 70 sq. feet for one occupant or at least 50 sq. feet per person for 2 occupants (also see Mass. State Sanitary Code).
- Do not count floor space where the ceiling height is less than 5 ft. such as in a top

floor room of a unit with a pitched roof.

- All sleeping rooms must have at least 1 openable window (with screen upon initial lease up). Under certain conditions, windows that open onto a common area that allow adequate natural light to permit normal indoor activities within the sleeping room are acceptable. There are some building code exceptions for which approval documentation is required.

4.3 Security

HQS Requirements:

- To reduce the risk of burglary or other unlawful entry into the dwelling, all doors and windows that are accessible from the outside or common area are required to be fitted with a properly working lock.
- Accessible means windows with sills less than 6 feet off the ground, windows or doors leading onto a fire escape, porch or other outside place that can be reached from the ground.

HQS Fail Rating Required for:

- Unlockable accessible window or door;
- Loose or inoperable locks;
- Unlockable window in other area where there is evidence of past-unauthorized entry;
- Chain lock as only lock;
- Slide bolt as only lock at front door;
- Striker plate or lock is not secure enough to prevent access by a sharp blow;
- Rotted or broken doorframe or jamb; and
- Unlockable basement windows may fail if in a single family home where there is access to the unit or in a multi-unit building where there is evidence of past unauthorized entry.

DHCD Requirements:

- All egress and interior room doors must be readily openable from the side from which egress is to be made without the use of a key or special knowledge.
- No padlock, chain lock, hook and eye lock, slide bolt, or other lock is allowed on the outside of any room door.
- Doors may be equipped with a privacy set or the above-mentioned locks provided they are openable from the inside without the use of a key or special knowledge and are installed at a safe height off the floor to allow the occupants to reach them in an emergency. Generally less than 4 feet high is considered safe height.
- No room which contains the unit entry or exit door or fire escape window may be lockable.

- If the windows in a unit are equipped with security bars at least one set is required to be openable for fire egress (also see Mass. State Sanitary Code).
- If a unit door provides access to a common basement it must be fitted with key lock hardware with the key side facing the basement.
- If the unit has a stair or hatch to a common attic the same need for security applies. For stairway doors a keyed lockset or padlock is required. In the case of an attic hatch, since inspectors are not always able to ascertain if the attic has fire or partition walls, it is a good practice to ask the owner or agent and have them initial the inspection checklist to attest that there are partition walls. If the attic is a common space locking or screwing closed the hatch is required.

Inspection Tips:

- Always be aware of doors within the unit that access a common basement or doors and hatches to a common attic. These accesses are required to be locked. Two padlocks may be needed to adequately secure an attic hatch.
- If the owner uses door hardware with a lockset on a unit door to a common basement remember that the key side of the lock must be facing the basement side so that security is assured and unauthorized entry is prevented.

4.4 Access to Unit

(This is a General Health and Safety Item)

HQS Requirements:

- All units are required to ensure privacy of the living quarters.
- Tenants must be able to access the unit without passing through another unit and tenants of other units must not have to pass through the unit to gain access to their units.

DHCD Requirements:

- According to building location, common practice, and the discretion of the RAA based on knowledge of the neighborhood, every door that provides direct access to the outdoors shall be fitted with a working keyed lockset.
- A chain lock, slide bolt, or hook and eye lock are not adequate as the only lock for any unit entry doors.
- If the unit provides direct access to a common basement the door must be fitted with lockable hardware for security (also see Mass. State Sanitary Code).
- Inspectors must be aware that locks are required on hatches to common attics that may allow access to the unit.
- Tenants are required to give timely access for repairs (Mass. State Sanitary Code).

Inspection Tips:

- Whenever there is a door between 2 units, be sure that it is lockable from both sides. The fact that there may be family members in both units does not make this a tenant preference item. Remember that the door must be lockable from both

sides, not necessarily locked.

4.5 Exits

(This is a General Health and Safety Item)

HQS Requirements:

- Occupants must have an acceptable means of exit that is not blocked in case of fire. Acceptable fire exit means that the building has an alternate means of egress that meets local or state requirements.
- Blocked means that the exit is unusable due to conditions such as debris, storage, air conditioner in egress window, door nailed shut, door swelled shut, or broken lock. A fail rating is required if there is no acceptable means of fire exit (also see Mass. State Sanitary Code).
- Exits blocked by the tenant may fail as tenant caused. Inspectors should require that the exit be cleared immediately if possible.
- RAAs may consider the disability of occupants when determining the acceptability of the fire egress system relative to the family composition.

Inspection Tips:

- HUD allows the PHA to determine the acceptability of fire exits. Always consider the ability of the occupants to utilize the exit in an emergency and allow the tenant to assist in making the determination.
- An elderly or disabled person may not be capable of utilizing a fire egress such as a chain ladder or a window with a wall mounted ladder outside. Consider the specific family composition and the ability to utilize the fire egress under adverse conditions.
- Always be sure the fire escape window holds itself up when open (sash cords).
- Look for air conditioners in fire egress windows and locks on doors to rooms containing the fire exit. A fail rating is required if this conditions exists.

5. KITCHEN

5.1 Kitchen Present

HQS Requirements:

- All units are required to contain a kitchen for the storage and preparation of food. Space for this purpose must be available. Storage includes cabinets, pantries, and closets with shelves. If there is no such built-in space, a table for food preparation and a portable storage cabinet will satisfy the requirement.

DHCD Requirements:

- Space for preparation of food (counter tops, etc.) must be free of damage, holes, and lifting surfaces that allows contamination, food build up, or insects. All such surfaces must be easily cleanable (Also see Mass. State Sanitary Code).
- Areas of defective paint and plaster in food service or storage areas must fail

regardless of the presence of children under 6 years old.

Optional Equipment:

Optional equipment adds to the unit grade and value of a unit at rent negotiation. On initial inspection the working condition of the items must be noted. The owner is responsible to maintain optional equipment unless it is rendered inoperable by tenant neglect. Optional equipment includes but is not limited to dishwasher, laundry facilities, air conditioner, garbage disposal, microwave, or range hood. (Also see Mass. State Sanitary Code).

5.2 Electricity

HQS Requirements:

- A permanently installed light fixture and at least one outlet are required for each kitchen. The presence of 2 outlets and no light fixture is not acceptable.

DHCD Requirements:

- 2 outlets and a permanently installed light fixture are required (See Mass. State Sanitary Code). Having 2 working outlets in a kitchen prevents circuit overloading, hazard use of extension cords, and can prevent damage to flooring if the only outlet was behind the refrigerator.

Inspection Tips:

- Look for lamp cord or zip cord permanently installed where kitchen outlets are few in number. A fail rating is required when this condition exists.

Ground Fault Circuit Interrupters:

DHCD does not require that owners upgrade outlets that pre date the introduction of GFCI protection in the Building and Electric Codes. GFCI protection may be recommended for safety, but the recommendation should advise that qualified or licensed professionals install upgrades. Interested clients may purchase portable GFCI protection that plugs into a receptacle and requires no wiring. The intent of GFCI is to protect against electric shock hazards from portable or hand-held appliances coming into contact with a water source. GFCI protection is designed to cut the power supply within 1/60 of a second (this is considered less time than it takes electric current to stop an adult human heart). GFCI protection comes in 3 forms: portable type, wall outlets with a test and reset button, and circuit breakers in the electric service panel box with a test button located on them. If a GFCI outlet is installed as the first outlet in line from the service panel, all outlets "down stream" from that outlet will be protected. If a GFCI circuit breaker is used then all outlets on that circuit will be protected. Remember to advise clients that manufacturers recommend that all GFCI be exercised (tested) routinely, monthly for outlets and twice per year for circuit breakers.

Inspection Tips:

- Always check inside sink base cabinets for wiring left after a garbage disposal has been removed. In many cases it is still live.
- A volt tick tester can be useful for this purpose.

- If there is a garbage disposal present, check to see that there is a Romex connector that secures the wiring to the appliance.
- Any excess under sink wiring should be properly supported with insulated staples and not hanging loose so that the placement of pans or other stored items do not create damage and shock hazards.

5.3 Window

The absence of a window in the kitchen is allowable.

5.4 Oven and Stove

HQS Requirements:

- A working oven and a stove or range with burners is required for the use of the occupant. In some cases a microwave oven may be substituted for a stove provided the owner offers the substitution to all other tenants and the RAA is aware of and approves the substitution. If not agency approved, an incorrect utility calculation could result.
- The appliance may be either owner supplied or tenant supplied.
- If owner supplied and not present, a fail rating is required.
- If stove is tenant supplied and not present on initial inspection, mark the item inconclusive and follow up as needed.
- Hotplates are not acceptable substitutes.

HQS Fail Rating Required:

- Any burner requires to light with the use of a match;
- Improper electronic ignition;
- Inoperable oven;
- Inoperable burners;
- Missing knobs;
- Broken oven doors or other significant parts;
- Strong gas smells and improper gas hookups;
- Missing oven handle;
- Electric shock hazards;
- No oven racks;
- Missing trivets; and
- Fire hazard built up grease may fail as tenant caused.

Pass with Comment:

- Scratched or dented appliance;

- Cracked but operable burner rings; and
- Minor broken or missing parts that do not affect operation.

DHCD Fail Rating Required:

- Unstable or not level.
- If the stove is not even with or higher than the combustible counters or other material surrounding the stove.
- There is no anti-tipping device

Inspection Tips:

- Often times in the course of the day inspectors may see old stoves being discarded on the street. It is a good practice to collect the knobs from these stoves. It can be especially helpful to owners since older types are not always readily available from suppliers.

5.5 Range hood

- If a range hood is present it must be fitted with a filter or other protective device covering any exposed fan blades if the range hood is designed and intended to have one. Proper wiring is required.

Inspection Tips:

- Always check to determine that the range hood is not wired with lamp cord and a plug.
- If the hood has a plug end the cord will be a heavier gauge than lamp cord and there will be a liner ring at the point where the cord enters the housing.
- Do not require that the owner make his own blade cover if the range hood is not intended to have one. A fire hazard could be created.

5.6 Sink

HQS Requirements:

- A permanently attached sink with properly working faucets connected to a hot and cold water supply and connected to a properly connected drain with gas trap is required.
- The sink cannot be, or double as the bathroom sink.
- If hot water is not on for initial inspection, record as inconclusive and follow up as required.

HQS Fail Rating Required for:

- Clogged drain;
- No water;

- No hot water if owner supplied;
- No hot water if tenant supplied;
- Major supply or drain leaks;
- No gas trap to prevent sewer gas;
- Presence of sewer gas;
- Loose or unattached sink;
- Cracks, excess rust or a not easily cleanable surface; and
- Defective paint.

Pass with Comment:

- Slow drain.
- Faucet drips.
- Hot and cold valves reversed.
- Marked, dented or scratched surface.
- Missing or broken drain stopper.

DHCD Requirements:

- Water supply must be sufficient in quantity and pressure to meet ordinary needs. Hot water temperature must not create a scald hazard. Not less than 110 or more than 130 degrees F is acceptable (Mass State Sanitary Code).
- Supply and drain lines must be free of leaks and basins must have a surface that can be easily kept sanitary.

Inspection Tips:

- Water temperature of 150 degrees F can result in a scald burn that blisters with an exposure time of less than 2 seconds.
- When inspecting kitchen sinks turn on the hot water and check below for leaks. Allow sufficient time for the water to heat up.
- The presence of a good deal of visible steam should prompt inspectors to use a pocket thermometer to ascertain the real temperature of the water. You may save on telephone time by reporting on the line marked water heater: "Turn down scald hazard water temperature Yours-150° f State max – 130° f". This can be especially important for households with small children or sensitive elderly persons. If the tenant pays the utility, they may save money as well.

5.7 Refrigerator

HQS Requirements:

- A working refrigerator capable of maintaining a temperature low enough so that food does not spoil over a reasonable time and is capable of storing frozen foods is

required.

- The refrigerator must be adequate in size relative to the needs of the family. An undersized refrigerator will fail.
- If owner supplied, it must be present at initial inspection.
- If tenant supplied, record as inconclusive and follow up as required.

HQS Fail Rating Required for:

- Undersized for the occupants needs;
- Leaks;
- Cut hazards, both inside and out;
- Moldy seal;
- Food spoils quickly or does not maintain frozen items;
- Damaged cord; and
- Owner or Tenant- Failure to provide.

Pass with Comment:

- Broken or missing shelving;
- Dented or scratched interior or exterior;
- Minor deterioration of door seal; and
- Loose door handle.

6. BATHROOM

HQS Requirements:

- At least 1 working bathroom is required for the exclusive use of the occupant.
- There must be an operational toilet, washbasin, and tub or shower each connected to an approved water supply and disposal system. (Also see Mass. State Sanitary Code.)
- It is allowable for the fixtures to be located in separate areas of the unit. At a minimum the toilet is required to be surrounded by an enclosure for privacy. (Also see Mass. State Sanitary Code.)

6.1 Electrical

At least 1 permanent operational light fixture is required. No outlet is required. An outlet cannot be substituted for the light fixture (Also see Mass. State Sanitary Code).

Electrical Hazards:

- Damaged or uncovered electrical parts are considered an electrical hazard.

- An outlet, switch, or portable electric appliance too close to the bathtub or where water may splash is considered an electrical hazard.
- Look at globed fixtures for evidence of water penetration in instances where water from the floors above has leaked through.
- The presence of an overhead light fixture within or too near a shower will fail as well.
- An outlet on a medicine cabinet is not considered hazardous.

Inspection Tips:

- Remember that if the outlet is not a GFCI type receptacle one may be suggested only.
- If there is more than 1 bathroom and the GFCI is present in one but not the other it is possible that the GFCI is connected to a shared circuit and the other bathroom outlet could be GFCI protected.
- Use good judgment as to whether or not to require a light globe on a bare bulb fixture.

6.2 Wall Condition

HQS Requirements:

- Walls are to be inspected for severe deterioration and water damage.

DHCD Requirements:

- Walls surrounding the tub area must be covered by a smooth, non-corrosive, non-absorbent, and waterproof material where there is a showerhead or shower compartment to a height of 6 feet from the floor.
- Owners must supply at least a shower curtain rod. A circular shower curtain rod, which encloses the tub, is acceptable.
- Where there is a tub only with no showerhead, walls shall be similarly covered to a height of 4 feet or a properly painted wall shall satisfy this requirement. (Also see Mass. State Sanitary Code.)

Inspection Tips:

- Always inspect tile walls in the shower or tub areas for grout condition that will allow water to damage the walls behind the tiles. Once water damages the walls, tiles fall out and repairs can be expensive. Tile grout comes in premixed tubs, is easy to apply, and is very inexpensive.
- Look for mold and defective paint conditions that contribute to rot at windows within shower stalls. Suggest to tenants that water impervious curtains be used. Suggest to owners that ceramic tile or plastic material be used as trim to protect the window from water damage.

6.3 Floor Condition

HQS Requirements:

- The bathroom floor must be in sound condition.
- A fail rating is required for obvious water damage to the floor or sub floor.
- Minor defects will pass with comment.

DHCD Requirements:

- The floor surface of every room containing a toilet, shower or bathtub must be covered by a smooth, non-corrosive, non-absorbent, and waterproof material.
- Flooring must be well adhered and seams sealed.
- Wood flooring is acceptable provided it has a durable and water resistant finish with no cracks that allow the accumulation of dirt, filth, or insect harborage.
- A carpet may be accepted provided it is in sanitary condition and free from mold or moisture damage. (Also see Mass. State Sanitary Code.)

6.4 Toilet

HQS Requirements:

- A working toilet must be available for the exclusive use of the occupants of the unit.
- Facilities, which are used by other occupants of other units, are not acceptable.
- The toilet must be contained in a separate room in the unit that provides for privacy.

HQS fail rating required for:

- Not connected to water supply;
- Not connected to accepted drainage or sewer system;
- Loose toilet/faulty connections that allow water or sewer gasses to leak (improperly connected to floor flange);
- Not flushing;
- Clogged;
- Tank mechanism inoperable;
- Hazard cracked seat that "bites";
- Cut hazard cracked or broken porcelain; and
- Missing seat or other parts.

Pass with Comment:

- Water runs continuously;
- Non-hazardous marred seat; and
- Non-cut-hazard cracked or chipped porcelain.

Inspection Tips:

- Often times a loose toilet is caused by movement when the toilet is not flush against the wall. Owners can help prevent loosening of the closet bolts and prevent separation of the tank seal by installing a shim board on the wall behind the tank to provide a solid brace.

6.5 Washbasin

HQS Requirements:

- A permanently installed washbasin with hot and cold running water connected to an approved disposal system and fitted with a gas trap is required. A portable washbasin will not satisfy the requirement.
- The washbasin may be located in another area of the unit, but the kitchen sink must not substitute for or double as the washbasin.

HQS Fail Rating Required for:

- No hot and cold water;
- No gas trap;
- Not connected to an approved water supply or drainage system;
- Evidence of leaks or water damage;
- Clogged drain;
- Unsanitary finish; and
- Defective paint.

Pass with Comment:

- Somewhat low water pressure (not so low as to be non-functional) (See Mass. State Sanitary Code);
- Faucet dripping (repair may be required if tenant-supplied hot water is dripping heavily);
- Cracked or chipped as long as no cut hazard exists;
- Slow drain; and
- Surface deterioration of faucet handles.

6.6 Tub or Shower

HQS Requirements:

- A working tub or shower is required. Be sure to turn on both hot and cold water to verify that the water supply and drain are operational. It is allowable for the tub or shower to be located in a separate area of the unit (also see Mass. State Sanitary Code).

HQS Fail Rating Required for:

- No hot and cold water;
- Inadequate water pressure;
- No gas trap;
- Not connected to an approved water supply or drainage system;
- Evidence of leaks or water damage;
- Clogged drain;
- Unsanitary finish; and
- Defective paint.

Pass with Comment:

- Somewhat low water pressure (not so low as to be non-functional) must meet the ordinary needs of occupants (see Mass. State Sanitary Code);
- Faucet dripping (repair may be required if tenant-supplied hot water is dripping heavily);
- Cracked or chipped as long as no cut hazard exists;
- Slow drain; and
- Rusted valve handles.

DHCD Requirements:

- All fixtures must be securely attached (not loose);
- Surfaces of fixtures must be free of defects that make them difficult to keep clean (see Mass. State Sanitary Code) (consider a defective paint surface in a sink or bath tub); and
- Water temperature must not present a scald hazard (see Mass. State Sanitary Code).

Inspection Tips:

- If the owner is experiencing problems with tenant children putting items into drains and creating clogs, check for and recommend the installation of drain screens. They are available at very low cost. Let tenants know that they may be held responsible for repairs that are tenant caused.
- When the amount of steam visible when running the hot water at any fixture causes you to suspect that water temperature is above the maximum 130 degrees F. allowed by the State Sanitary Code, it is a good practice to utilize a pocket thermometer to identify for the owner how much the water temperature is over the prescribed maximum.

6.7 Ventilation:

HQS Requirements:

- In order to prevent the accumulation of unhealthful odors, sewer gas, and the build-up of mold on surfaces, an openable window or a working ventilation system is required in bathrooms.
- The types of ventilation systems that are allowable are electric vent fans (either wall or ceiling mounted), gravity flow vents, and shafts that allow air to escape to the outside.
- The absence of approved ventilation requires a fail rating.

DHCD Requirements:

- If a window is to be used for bathroom ventilation, a screen is required.
- The presence of mold or mildew on walls, floors, or ceilings is an indication of inadequate ventilation. Extreme cases may fail as tenant caused.
- If the ventilation is in good working condition there should not be chronic dampness that allows the growth of mold and mildew.
- If mold and mildew is present it may require special treatment or cleaning and repainting with a special mildew resistant paint such as Zinser bathroom wall and ceiling paint that inhibits the growth of mold and mildew. (Also see Mass. State Sanitary Code.)

Inspection Tips:

- Always inspect bathrooms for cut hazard edges of ceramic fixtures and soap and tooth brush holders.
- Advise clients of gaps in grout or floor seams so that they can be repaired easily and inexpensively before the problem becomes severe and expensive to repair.
- Whenever required, advise tenants not to disable the ventilation because of the unhealthful effects of breathing mold spores. A simple solution of bleach and water or ammonia and water will inhibit the growth of mold. NEVER combine bleach and ammonia. Together they produce a poisonous gas. Remember that mold spores are detrimental to interior air quality. The effects of poor interior air are especially hazardous to children and persons with respiratory illness. A recent study has found that diagnosis of asthma cases have increased 75 % since 1980. Poor interior air and mold spores are considered to be contributing to the increase in asthma cases. Advise tenants of the need for periodic cleaning of surfaces that show surface discoloration.

7. SECONDARY ROOMS NOT USED FOR LIVING

HQS Requirements:

HUD requires the inspection of rooms not used for living for SECURITY and ELECTRICAL HAZARDS since hazardous defects under these items could jeopardize the rest of the unit. A fail rating is required for deficiencies. Inspect as in other rooms. Other hazards may exist. Some examples of other hazardous conditions include:

- Unstable stairs or stairs with a tripping hazard;
- 4 or more stairs without a railing;
- Large holes in floors, walls, or ceilings;
- Evidence of imminent structural collapse;
- Windows or doors in seriously deteriorated condition; and
- Protruding nails or other sharp cut hazard objects in walls, floors, ceilings, etc.

7.1 Garage

DHCD Requirements:

- If the garage door opens directly into the unit, it must be a solid core wood or metal door for fire safety.
- A hollow core or plastic “panel style” door is not acceptable.
- A door from a garage cannot open directly into a room used for sleeping.
- A Carbon Monoxide detector may be required in the room the door from the garage opens into, i.e. “the adjoining space”

7.2 Laundry

Washing machines and dryers are not portable or hand-held appliances. They constitute a motored load and DHCD does not require GFCI protection for the outlets serving them. It is allowable for the outlet and the drainpipe to be in close proximity to one another. RAAs may require approval of the local wiring inspector if the installation appears not to have been professionally installed.

DHCD Requirements:

- A gas dryer must be properly vented to the outdoors, shaft, or crawlspace.
- Electric dryers are not required to be vented to the outdoors but they must be properly vented to a lint trap to prevent the buildup of combustible dust and prevent excessive moisture problems like mold and mildew.
- Some apartment sized electric dryers have built-in dust traps and a nylon staking on the end of the vent hose. This is acceptable per manufacturers instruction, but not if excessive moisture is a problem.
- Washing machine drain standpipes must be capped if not in use. Although a “P” trap is usually present, if unused the water in the trap will evaporate and allow unhealthful sewer gas to escape.

Inspection Tips:

- Always check around and behind laundry facilities for built up dust that can present a fire hazard.
- Generally the laundry drainpipe is a 1½-inch or 2-inch copper pipe. Caps are available at most hardware stores at very low cost in copper, plastic and rubber.

- If the laundry area is in the unit, it is advisable to cap any unused supply valves to prevent accidental water damage by occupants and children.
- Some signs that the laundry wiring was not professionally installed include exposed unsecured wires not fastened with insulated staples at 3- to 4-foot intervals, unsecured outlet or switch boxes hanging on wires, and no insulated staple within 6 inches of a mounted switch or outlet box.
- If a laundry sink is present in the tenant unit (includes basement of a single-family home) and there is an outlet located within close proximity to the edge of the sink a GFCI outlet may be suggested. Use good judgment. If a dangerous shock hazard exists a fail rating may be required.

8. BUILDING EXTERIOR

HQS Requirements:

The basic objectives of exterior inspection are to ensure that:

- The foundation has the capacity to properly support the building (not unsound or hazardous) and keep water out of the basement under normal rainfall conditions. (A wet basement does not automatically fail.)
- The condition of all exterior stairs, railings, and porches are sound and free of hazards.
- The tenant is not exposed to any risk of structural collapse and that the roof protects the tenant's unit from the outside elements and the exterior walls are weather tight.
- The tenant is not exposed to the potential collapse of the chimney and that the chimney is capable of safely carrying smoke, fumes, carbon monoxide and gasses from the unit to the outside.
- The dwelling is free of the hazards of lead-based paint.

8.1 Foundation

The following conditions are indicative of structural instability. If present they will be evident from outside of the building or in the basement.

- Evidence of major recent settling;
- Large cracks or holes;
- Severe leaning;
- Large sections of crumbling brick, stone, or concrete;
- Undermining of footings, walls, or slab; and
- Major deterioration of wood support members due to water damage or termites.

If piers or other parts of the foundation look questionable but the structure above feels stable, pass the item with a comment advising evaluation.

Inspection Tips:

- If any part of the foundation appears questionable, comment on the item and advise the tenant and owner to monitor the condition for further deterioration. In this way the owner can keep repair costs down by not waiting for the foundation to fail and become much more expensive to correct.
- Open holes in any foundation will allow the building to become rodent infested. Also, the presence of termites or other wood-boring insects is often visible by the presence of mud tubes on the foundation, the presence of sawdust like frass (droppings), and swarms of ant-like insects with wings.

Foundation Cracks:

- Foundations are the supporting member for the entire structure of the house. There are several types of foundation materials of varying degrees of quality. Generally, foundations are made of stone, brick, concrete block, poured concrete, or a slab of concrete. Most foundation walls are laid on a footing, which is an enlarged base resting on undisturbed soil.
- Footings are designed to spread the weight (load) of the structure. Crack patterns might point to serious structural problems. In a stone foundation large cracks that separate stones and run vertically from the top of the foundation to below grade indicate settlement.
- Owners should be advised to patch and monitor the crack for continued movement or widening that may indicate that repairs are needed to avoid collapse or other damage.
- Professionals should check wide cracks in the corners as they may indicate a more immediate threat to the structure because the end wall will likely settle more deeply than the others. Sometimes the same effect is visible by the presence of two cracks near the middle of a wall.
- In brick and concrete block foundations, cracks that follow the edges of the bricks are called step cracks because of the appearance of a set of steps. This is often caused by mortar shrinkage or a poor job of bricklaying. A vertical crack in a brick or block foundation indicates settlement. Wide cracks should be patched and monitored for continued settlement.
- The most serious type of a foundation crack is a horizontal crack. The presence of this type of crack usually means that soil and water pressure outside is so excessive that collapse of the wall can result.
- Always point this type of crack out to owners so that corrective actions or evaluation can be made in time to keep costs down.

8.2 Stairs, Rails, and Porches

HQS Requirements:

The condition of exterior stairways, porches, and walkways must not present a danger of tripping and falling.

HQS Fail Rating Required for:

- Broken, rotted or missing steps or boards;
- Absence of a handrail where there are 4 or more consecutive steps (count the risers);
- Missing or insecure railings around a porch or balcony that is 30 inches or more above the ground (If the tenant family contains small children pay particular attention to the condition of porch railings to prevent children from falling off the porch.); and
- Trip-hazard conditions of walkways that the tenant will use frequently.

Steps that lead to the unit but are not physically attached to the building are to be included in the inspection. If the unit is part of a large multi-unit structure inspect only those stairs, porches, and railings associated with the tenant unit or will be used frequently by the family.

Masonry or Brick Stairs:

- Always inspect brick stairs for loose, broken, or missing bricks that create a tripping hazard.
- Look for deterioration of the mortar joints. Suggest repointing of the joints as a preventative measure to keep repair cost down by limiting the scope of the repairs. Look for loose flagstones set in concrete on stairs and walkways.
- Trip hazards, regardless of material, require a fail rating.
- Always suggest the use of bonding agent when making masonry repairs.

Protective Railings:

- There must be a protective railing or wall at least 36 inches high around every porch, balcony, loft, or roof that is more than 30 inches from the ground intended for use by the occupant (*Mass. State Sanitary Code*).
- Waivers for railing height and baluster spacing may be requested when the building is an historic structure or an ornately decorated Victorian home where the current railing and balusters are in excellent condition and do not require repair.
- Only first floor porches no more than 5 feet from the ground could be considered and the tenant and owner must request the waiver in writing. This does not apply to homes with no railings.

Inspection Tips:

- Notice on this item in the State Sanitary Code that as the building code changes the current change is not automatically applied to buildings that pre-exist the change.
- References to specific building codes should be used as guidelines for inspection since some housing stock predates the current code and strict implementation could deny tenant access to otherwise acceptable housing.
- If items are considerably beyond the guideline and present a hazard that requires correction, closely meeting the guidelines should serve as an acceptable repair.

Handrails:

- All handrails are required to be graspable in order to pass inspection. This means that handrails must be mounted sufficiently away from the wall or wall cap to allow a firm grasp.
- In cases where a solid wall is installed instead of a protective railing, if a wall cap is present and is more than 4 inches wide a graspable handrail will be required.
- A 2x4 or other approved handrail stock mounted in graspable fashion is allowable in situations where the wall cap is wider than 4 inches.
- A railing or other protective structure must be required where retaining walls with a difference in grade level over 4 feet are located within 2 feet of a walkway, path, parking area or driveway on the high side. Consider the ability to fall off the unprotected height in relevant foot traffic areas or where a car could readily drive off. This does not apply when the walkway or driveway is on the low side.
- The top step or landing shall be counted as a step when determining if a handrail is required. If you count the risers rather than the treads it will be counted.
- If there is a platform or break in the contiguous stairs wide enough to require that a person take two steps before the next riser, a handrail may not be required.
- A basement bulkhead requires a handrail if used by the tenants on a regular basis and if an alternate access is not available to the tenant. Consider the presence of bikes or other items relative to the season that would indicate routine use. Example - bikes in spring, summer, or fall and sleds in winter. These items would likely be routinely used in the season).

Baluster Spacing for Railings Located Over 30 Inches Above the Ground:

- In homes housing children under 6 years old, balusters (vertical members) or fall bars (horizontal members) are required to be spaced no greater than 6 inches apart (so as to prevent the passage of an object 6 inches in diameter) to protect against falling (State Sanitary Code). The openings between the stair risers are also subject to this requirement.
- Some homes may have iron railings or other types that miss making the 6-inch requirement. If it is a close call The RAA may require approval from the local Building Department.
- Waivers for railing height and baluster spacing may be requested when the building is an historic structure or an ornately decorated Victorian home where the current railing and balusters are in excellent condition and do not require repair.
- Only first floor porches no more than 5 feet from the ground could be considered and the tenant and owner must request the waiver in writing. This does not apply to homes with no railings.
- Inspect for railings and balusters or fall bars on both open sides of the stairs if applicable. If the railing condition dictates replacement of the railing, application of the current building requirement of 42" high and 4" baluster spacing is required.

8.3 Porch, Deck, and Stairway Foundations

HQS Requirement:

- All porches, decks, and exterior stairways are required to be structurally sound with an adequate foundation.
- A wood post sitting on pavement, concrete block, or ground with no foundation is not acceptable.
- Excess movement or instability shall result in a failed rating.

RAA Determinations:

In instances where railings are not present or are to be replaced entirely RAAs shall require a current building code installation of railings or other structural members and sign offs by the local department may be required.

Inspection tips:

- When assessing the suitability of foundations or footings for porches, decks, and stairs it is important that there is no movement that can eventually cause the structure to become unstable. If there is minor movement consider the installation of additional bracing to stabilize the structure.
- In a climate such as New England it is important that the depth of footings in the ground is below the frost. Generally, a footing should be set at least 3 to 4 feet deep in the ground to prevent frost heaving. As the ground freezes and expands the structure could lift and cause water to run toward the building or create a hazardous pitch for walking. This effect can be more dramatic depending on the soil type and water table. It is a good idea to always use sonna tube liners for footings. The smooth outside surface of the tube resists a process called "lensing." This occurs when the rough outer surface of an unlined footing provides a grip for the expanding frozen earth to lift the footing up.
- A concrete foundation will usually be visible above grade. A newer installation may have steel connecting hardware between the concrete and the wood member.
- The following Building Code Guidelines may be helpful in determining structural soundness. Remember that most housing stock predates current building code and strict implementation may restrict tenant access to otherwise acceptable housing. If an item is blatantly different than the guidelines and there is a question as to whether a hazard exists, the RAA may require approval in writing from the local building department prior to acceptance of the unit. Consult the Inspection Supervisor for guidance.
 - Generally joist spacing for decks and porches should be between 12 and 24 inches apart.
 - Ledger boards (the board that connects the structure to the house) should be bolted to the framing, not just nailed.
 - All porches, decks, stairs, and railings should be adequate to support a 200 lb. load (Consider the ability to support a refrigerator).

- Stair stringers must be adequate to support stair treads. Generally 2"x12" stringers are adequate.
- In a newer building there should be no more than 15 treads between landings on a stairway for adequate structural support and fire exit safety.
- Currently the maximum riser height is 8 and 1/4 inches with no more than 1/4-inch difference between each riser. The minimum tread width is 9 inches. Stairways that noticeably do not conform could present a tripping hazard.
- If there is varying riser height throughout a set of stairs that is noticeable and causes a tripping hazard, repair should be required prior to leasing the unit. Further, it is very important to spot these problems at the initial inspection and tenants should be informed.

Inspection Tips:

- In an area that is high enough to result in serious fall injury it is always a smart idea to suggest that vertical balusters be installed to eliminate the " ladder effect " caused by horizontal fall bars.
- If a window is present low enough on a flight of stairs protective bars should be suggested to prevent a person tripping and falling through the window. This would not be suggested if the window is a required fire exit.
- If lattice has been used to meet the baluster requirement and has proven to be ineffective a more suitable material can be required for the safety of children.

8.4 Roofs

HQS Requirements:

- The roof must be structurally sound and capable of protecting the tenant's unit from the outside elements. If the roof cannot be seen, record as unobservable and pass the item so long as there is no evidence of water penetration in the unit.

Inspection Tips:

- There are times when an owner who insists on doing his own repairs is not able to eliminate a roof leak. Depending on the severity of the leak, an RAA may allow the owner several chances to affect the repair.
- If the owner is unable to repair the problem, the RAA may require that a professional be contacted for the completion of repairs. Consider the location of the leak, the potential for any electric shock hazard, and the impact of any mold or mildew on interior air quality.
- If an owner refuses to consult a professional when needed, the RAA may consider rent suspension or termination of the contract.
- In units built prior to 1978 and housing children under 6 years old, a roof leak is considered an urgent lead hazard until the lead content of any affected surface is known by xrf testing to be below 1.0 mg cm.

HQS Fail Rating Required for:

- Serious buckling or sagging, indicating the potential for structural collapse.

- Large holes or other defects, which would allow significant amounts of water to enter the unit.
- Water damage to interior ceiling (indicating leaks).
- If a significant amount of water is allowed to enter the unit, resulting in the deterioration of an interior wall.

Pass with comment:

- Missing shingles with no evidence of water entry; and
- Minor bowing or sagging.

Inspection Tips:

- When inspecting roofs, check the underside whenever possible. Roof ventilation can be critical to the service life of the roof.
- When louvered peak vents (gable end vents) are observed, check to see that they are not blocked or covered.
- If an attic is not adequately vented in the winter the heated air inside the unit rises and meets the cold air in the attic. Moisture forms that will not only promote rotting of the roof structure but can allow the growth of mold on the underside of the roof. The resulting mold spores will adversely affect the interior air quality.
- The presence of mold or ice is a sign of inadequate roof ventilation. In an older home where there is no sign of problems within the attic space, roof ventilation is probably sufficient regardless of whether or not the vents are visible.

8.5 Gutters

HQS Requirements:

- Gutters and downspouts are not required by the HQS however, managing roof water over fire exits, stairways and entries is required.
- If gutters and downspouts are present and their poor condition causes significant amounts of water to enter the dwelling by rotting an exterior wall, a fail rating is required.

Inspection Tips:

- Look for gutters and downspouts in areas over stairs where icing in winter can be a hazard.
- Observed deterioration of any exterior component can often be traced directly to improper channeling of roof water away from the building. Examples: Often when staining or deterioration of the mortar joints in a basement wall is present there is a downspout draining onto ground that has a pitch toward the building.
- On a brick foundation deterioration occurs at points where downspouts are missing and the roof water splashes back at the building when it hits the ground. When one side of the exterior steps is noticeably more deteriorated than the other, often the downspout is missing over the deteriorated side.

- When there is a section of defective paint or rot on a wall that is otherwise intact the problem can be traced to a missing downspout or a leaking gutter. Backsplash of roof water can rot sills and siding, and promote infestation of wood boring insects. Remember to look for any electrical wires in contact with aluminum gutters. Always advise owners that a proper roof drainage system is critical to lower maintenance costs.

8.6 Exterior Walls

HQS Requirements:

All exterior walls must be sound and free from hazards to assure that the tenant is not exposed to any danger of structural collapse and that the walls are weather tight.

HQS Fail Rating Required for:

- Severe defects such as buckling, bowing, or leaning;
- Large cracks or falling pieces of masonry; and
- Significant portions deteriorated to the point where water or serious drafts enter.

Inspection Tips:

- Beware of a cosmetic fix up of problem areas. If the underlying cause of the problem is not properly corrected and was just "covered up", the original condition will probably reoccur.
- Look for holes in exterior trim that can allow birds or squirrels to access the building. Damage to wiring by squirrels can create a fire hazard, and poor air quality can result from build-up of bird droppings.

8.7 Exterior Surfaces

DHCD Requirements:

- Regardless of the family composition, whenever excessive chipping or peeling paint, or areas of missing siding allow weather to damage the framing or sheathing or allow wind, water, or moisture to penetrate the walls, the inspection will fail.
- In the absence of a lead inspection report issued by a Mass. Licensed Lead Inspector showing lead content below 1.0 mg cm by xrf testing, the only assumption that can be made about a defective paint surface on a building built prior to 1978 is that the surface represents a lead hazard.
- If there is a seasonal consideration that makes treatment of exterior defective paint or other required repairs difficult to accomplish, RAA staff should exercise good judgment and to weigh the interests of the household against the seasonal requirement to prevent the loss of decent, safe, and sanitary housing. A letter of intent from the owner agreeing to complete the repairs with a start and completion date stated on it should be filed and follow up reinspection must be made. This exception does not apply to lead paint on units housing children under 6 years old.

8.8 Chimney

HQS Requirements:

- Masonry chimneys are required to be free of the potential for collapse that could result in the occupants being injured by falling bricks. The chimney must be capable of safely carrying smoke, fumes, and exhaust gasses to the outdoors.
- If the chimney is metal, check that all the parts are connected and fit tightly together, that it is properly attached to the building and high enough to clear the wall and roof.

HQS Fail Rating Required for:

- Serious leaning of the chimney;
- Evidence of falling bricks;
- Deterioration or disintegration such as many missing bricks and/or mortar;
- Metal chimney parts not fit tightly or improperly attached;
- Not properly secured to the building;
- Any blockage that prevents proper draft; and
- Gaps at the flue connections.

Inspection Tips for Masonry Chimneys:

- Look at the chimney. On the exterior, loose bricks or deteriorated mortar joints can allow bricks to fall off the roof or down into the chimney where flue gasses may be prevented from escaping safely.
- If the chimney cannot be observed from the ground, inspectors should check inside the basement for a clean out hatch so that the ability of the chimney to allow exhaust gasses to exit the building can be confirmed. If the clean out hatch contains bricks and cement debris, it may be necessary to observe the chimney from a position farther away, like the next street over.
- If the chimney is collapsed it may be a 24-hour violation.
- Advise clients against strapping antennas or other such devices to the chimney because of the effect of the added wind load.
- On the interior of the home look for deterioration of the base of the chimney in the form of soft chalking brick, a condition known as spalling. This is often caused by soot (particularly from an oil fired heating system) collected in the bottom of the chimney mixing with rainwater coming down an uncapped chimney. The result is constant moisture and corrosive elements in the soot eating away the brick.
- Always advise clients to check the clean out in the base of the chimney periodically for soot build up. If there is no clean out, suggest one be added. If there is no clean out, when the system is serviced it will only be cleaned out at the flue connection and the built up soot will remain in the base. Note that it is a very expensive repair to support the weight of a chimney while replacing a deteriorated base.

Inspection Tips for Metal Chimneys:

- Always look for corrosion or rotted metal in areas where a metal chimney may be subject to roof water runoff or is in contact with the ground.

9. HEATING AND PLUMBING

9.1 Adequacy of Heating Equipment

HQS Requirements:

- The heating equipment is required to be capable of providing heat either directly or indirectly to all rooms used for living.
 - Directly means that each room used for living has a heat source such as a radiator, working hot air register, or baseboard heat (direct heat source).
 - Indirectly means that if there is no heat source present in the room, heat can enter the room easily from a heated adjacent room or from below through a floor grate (indirect heat source).
 - Adequate heat means that the heating system is capable of delivering enough heat to assure a healthy living environment in the unit appropriate to the climate.
- If there are no direct or indirect heat sources in a room used for living a fail rating is required.
- If there is heat its adequacy must be determined.
- If the unit is occupied, questioning the tenant as to the adequacy of the heat is acceptable.
- If the unit is not occupied or the tenant has not lived in the unit long enough to require the heat being used, a follow-up inspection may be needed to satisfy the requirement.
- In certain cases the adequacy of the heat can be determined by simply comparing the size of the heating system to the area to be heated. For example, a small, vented space heater in a living room is probably inadequate for heating anything larger than a small apartment or mobile home and additional heating equipment may be required.
- In areas where the climate requires regular heating, portable electric room heaters as the primary source of heat are not acceptable and a fail rating is required. Similarly, a kitchen stove with a built in space heater (gas on gas stove) should not be considered adequate for a larger unit as the primary heat in areas where the climate requires regular heating.

Inspection Tips:

- When a unit is reliant upon indirect heating it is not uncommon for some rooms to be cold particularly when bedroom doors are closed for privacy. It is a good idea to

suggest the installation of louvered doors to promote heat transfer from room to room, and ceiling fans to help move the heat around the unit.

- RAAs may elect to require additional heating equipment such as electric base heaters.

9.2 Adequacy of Heat

DHCD Requirements:

- Unit Temperature Requirement (Mass. State Sanitary Code): The air temperature in the unit should be no higher than 78 degrees F. or lower than 64 degrees F. from September 15th to June 15th inclusive.
- In cases of tenant complaint it may be necessary to check the actual room temperature. Room temperature can be read at a height of 5 feet above the floor on a wall any point more than 5 feet from an outside wall.

Inspection Tips:

- RAA inspectors may refer tenants with complaints of inadequate heat to the local Board of Health as they possess the approved equipment for testing air temperature.
- Follow up inspections are required to ensure correction of the problem.

9.3 Safety of Heating Equipment

HQS Requirements:

- The heating system must be designed to properly vent combustion gasses outdoors and be free of other types of unsafe heating conditions to assure that the occupants are not exposed to hazards of fire or escaping exhaust gasses.
- If there is a question as to the safety of the heating system operation, inspectors should require the system be checked and approved in writing by the local building department or a licensed heating professional.

HQS Fail Rating Required for:

- Escaping gasses from disconnected or broken vent pipes;
- Unvented fuel burning space heaters (except electric heaters);
- Improper fuel storage and supply lines (oil tanks should be 5 feet away from heating appliance);
- Fuel storage tanks must be raised off the floor on a stable base to prevent leaks from movement;
- A shut off valve must be located at the base of the tank;
- Fuel lines running across floors must be protected by conduit or cement and not present a tripping hazard (overhead oil lines solve this issue);
- Fuel leaks (check for containers catching leaks or excessive stains around tanks and lines);
- A fuel tank not vented and not filled from outside the building;

- The lack of a manual shut-off device for a gas-burning appliance;
- Presence of combustible material around heating equipment;
- Lack of a proper vent (flue pipes should be fit tightly together and pitched slightly up toward the chimney);
- A flue pipe or collar that does not fit tightly against a wall or chimney (check to see that flue pipes are well cemented and no gaps are present where they meet the chimney);
- Flue pipes not being properly directed from the appliance to the chimney (should be a straight run with slight upward pitch);
- Inadequate clearance between a flue pipe and combustible materials or walls;
- Improper installation of the equipment;
- Improper maintenance of the equipment;
- Heavy build-up of soot and creosote around the chimney and flue connections;
- Inadequate source of clear return air in a forced warm air system;
- Return air not drawn from an area separate from the furnace area in a warm air system;
- Major leaks in radiators or duct work which may promote heat loss and affect the heating system's capability to satisfactorily heat all habitable rooms in the unit;
- Unsafe or inadequate drainage of condensate from condensing systems;
- Inoperable or missing radiator valves (heavy steam escaping);
- Missing pressure relief downspout or over flow tube on relief valves; and
- Evidence of combustion pit failure (circle shaped burn opposite the burner gun).

Pass with comment:

- Dirty heat registers;
- A minor hissing radiator valve (unless a scald hazard or contributes to chronic dampness); and
- Covers missing from baseboard radiation (unless in a traffic area and a cut hazard).

DHCD Requirements:

- DHCD requires that pressure relief valves on boilers be fitted with overflow tubes or downspouts to prevent injury during operation.
- The operating pressure of the relief valve on a boiler (generally 30lbs) and the increased temperature of water under pressure can make injury as, or more severe than that caused by a water heater (Mass. Plumbing Code).
- The length of the tube should be approximately 12 inches above the floor or reasonable to prevent an injury. It is often in an owner's best interest to have the tube long enough to prevent damage and corrosion of the appliance's enclosure cabinet. Look for cabinet deterioration.

- All heating systems except electric are required to be properly connected to a chimney or otherwise properly exhausted to the outdoors. (Also see Mass. State Sanitary Code).

Inspection Tips:

- Some heating systems are direct vented. This means that they take their makeup and combustion air directly from outside the living space or basement. This type of system can be located even in a sleeping room. Generally these systems are condensing systems so the condensate (exhaust chemical laden water) should be properly routed to a drain or otherwise disposed of.
- The typical pressure relief downspout or overflow tube consists of a 3/4 inch male adapter and 3/4 inch copper or plastic tubing. Sometimes when the relief valve is located on top of the appliance a short nipple pipe and a 90-degree elbow will be required.
- Whenever possible, discourage (not fail) the use of black iron gas pipe because it is a ferrous metal and will rust inside with age.
- In some instances the copper downspouts are removed and sold as scrap for their copper weight. When this occurs suggest they be replaced with PVC plastic to prevent them being stolen again.

9.4 Prohibited and Unsafe Heating and Conditions

Gas space heaters are never allowed in a room used for sleeping or a bathroom, unless they are direct-vented appliances that draw intake air from outside the unit.

The following types of heaters are considered unsafe:

- All unvented heaters;
- All portable space heaters (electric units are allowed so long as they are not the primary heat source);
- Parlor heaters;
- Cabinet heaters;
- Any room heater that has the fuel tank located less than 42 inches from the burner;
- Unvented floor furnaces;
- Kerosene heaters, range oil burners, # 1 fuel oil burners; and
- Any portable wick-type heater.

9.5 Floor Furnaces

- Floor furnaces that are properly vented and installed are not prohibited. To do so would unduly restrict tenant access to otherwise acceptable housing.
- DHCD does require that floor furnaces, like any other heating system be checked or

serviced by licensed technicians in the event of trouble or complaint.

- Advise clients to take precautions for safety.

9.6 Wood, Coal, or other Solid Fuel Burning Stoves

- At initial inspection, if the unit is equipped with a working wood, coal, or other solid fuel-burning stove, the owner must document inspection by a qualified professional, with cleaning if necessary.
- If the tenant uses the wood, coal, or other solid fuel burning stove regularly during heating season, inspection and/or cleaning is required once every 2 years.
- Owners must educate tenants on the proper use of the equipment and disposal of ash. Since these systems are a source of Carbon Monoxide the unit must be equipped with CO detectors in accordance with Mass. law.

Inspection Tips:

- Neither HUD nor DHCD require that all heating systems be fueled by gas, oil, or electric. It is allowable for a home to utilize a solid fuel heating system as its primary heat source. These include wood, coal, pellets, or other solid fuel burning devices.
- Owners should be advised to educate the tenant regarding the safe use and maintenance of such a system as well as sources or vendors of fuel and where to properly dispose of any ash or residue.

9.7 Oil Supply Lines

- All oil supply lines that may be subject to damage require covering that provides protection and eliminates the potential for a tripping hazard.
- Those oil lines in direct contact with the earth must be enclosed in a continuous plastic sleeve to prevent undetected leakage into the ground.
- Overhead oil lines do not require such protections.

9.8 Heating System Safety Documentation

- DHCD allows for inspectors to require that any heating systems be checked and repaired by licensed technicians in the event of tenant complaint or suspected improper or unsafe operation.
- Emergency or life threatening situations are considered 24-hour violations. All other instances allow the owner 30 days to correct.
- Documentation should be dated after the date that the violation was written.
- Failure to provide current documentation can be grounds for rent suspension or contract termination.

9.9 Ventilation and Adequacy of Cooling

HQS Requirements:

- Units are required to have adequate ventilation and cooling by means of openable windows or a working cooling system to assure that there is adequate air circulation.
- If there are at least 2 properly operating openable windows present it is fairly safe to assume that the unit meets the definition of “some openable windows”. The final decision on adequacy of airflow depends upon the size and placement of the windows and the size of the unit. If the building is very close to other buildings it is advisable to inquire as to whether or not air flow is seriously affected.
- The phrase “working cooling equipment” includes central fan ventilation systems, evaporative cooling systems, and room or central air conditioning. Ask the tenant or owner/manager if the equipment is working properly.

DHCD Requirements:

- If plumbing and ventilation are operating and properly used there should be no chronic dampness, mold, mildew, or fungi present in the unit. If there is it may require special cleaning or treatment with mildewcide and/or repainting. Some severe cases may require professional mitigation and certification of correction.
- Tenants who allege mold that is not visible to inspectors must obtain, at their own expense a professional evaluation proving the presence of an unacceptable level and submit the report to the RAA for further consideration of action.
- Recently, moisture problems in housing were identified as the single largest indicator of health problems in 15,000 residences inspected by the Harvard School of Public Health.
- Below are some suggestions for reducing the amount of moisture in homes:
 - Install adequate mechanical ventilation to outdoors in kitchens.
 - Keep rainwater out by using drainage planes (overlaps to shed water) and appropriate flashing. Also protect all siding and trim from moisture penetration by painting all 6 sides of the boards.
 - Keep ground water out by maintaining gutters and downspouts to divert water away from the building, properly grade around the foundation to direct water away, or install perimeter drains. (The more you know about gutters and downspouts, the more important they become.)
 - Reduce moisture in attics and crawlspaces. Vent roofs and do not vent crawlspaces.
 - Vent interior moisture sources to outdoors. Do not vent dryers indoors. Do not vent bath fans into attics. Properly vent all gas burning appliances and heaters.
 - Insulate ductwork located outside of conditioned spaces or locate it within conditioned spaces.
 - Install energy efficient windows to reduce the amount of condensation on the

glass.

9.10 Water Heaters

Gas Fueled Water Heater:

- No gas fueled hot water heater may be located in a room used for sleeping or in a bathroom (with a tub) unless they are direct-vented appliances, or they draw intake air from a space outside of the sleeping room and the installation is approved by the local building department.

Oil Fired Water Heaters:

- Oil fired water heaters cannot be located in sleeping rooms or where they pose a hazard condition.

HQS Requirements:

- Water heaters are required to be located, equipped, and installed in a safe manner to assure that the occupants are not exposed to hazard.

HQS Fail Rating Required for:

- Location presents a hazard: Gas water heaters may not be located in bedrooms or other living areas where safety hazards may exist. Exceptions may be made if safety dividers or shields are installed or the installation is approved by the local building department;
- Combustible materials piled around or against the water heater are fire hazards (solids and liquids);
- Gas leakage (strong gas smells may indicate gas leaks);
- Flooding danger;
- Seriously cracked or broken vent/flue pipes on gas or oil fired water heaters that will allow exhaust gasses to escape into the unit;
- Absence of a temperature and pressure relief valve with a proper overflow tube or downspout attached to direct any hot water discharge from creating a scald hazard. (Remember that a blocked or plugged pressure relief valve can have the effect of turning a water heater into a very powerful bomb. There are instances when an exploding water heater blows, like a rocket, right through the floors and out through the roof of a house.)
- Improper flues for venting exhaust gasses. (Remember a slight upward pitch, tightly fit connections, and no gaps around the connection to the chimney are required.)
- Flue pipes must have proper clearance from combustible walls or materials. Flue pipes can become very hot. If there is not enough clearance at points where the flue enters or runs through a wall, over time the combustibility of the surrounding material will increase creating a fire hazard. Also look for wires in contact with flue pipes to prevent shock hazards.
- Electric hot water heaters do not require flue pipes;
- Serious leaks from the tank or supply piping; and

- Tagged by the local building department or utility company for unsafe condition. This can be a 24 hour violation.

DHCD Requirements:

- Must be fitted with a temperature and pressure relief valve and overflow tube.
- Hot water temperature supplied to all faucets should be between 110 degrees F. and 130 degrees F. (*Mass. State Sanitary Code*). In cases of tenant complaint it may be necessary to check actual water temperature.

Inspection Tips:

- Not all water heaters are free standing tanks that are readily observable. In some homes piping cold supply water through a coil in the boiler creates the hot water. There are 2 types of applications:
 - Internal tankless coils are coil devices mounted inside of the boiler and not visible. Cold water is piped through a sealed coil to prevent contamination by heating system water. Because the operating temperature of the boiler is sufficiently high to create a serious scald hazard, this type of hot water delivery system incorporates a tempering/mixing valve that allows adjustment of the water temperature by mixing additional cold water with the heated water.
 - External tankless coils are devices that often resemble a sealed 5 gallon bucket piped into the boiler but usually visible. Do not confuse the external tankless coil for the expansion tank. In this type of system, boiler water is piped into the vessel that contains a sealed coil connected to the water supply. Just as in the internal tankless system the coil is sufficiently long to allow the cold water running through it to become adequately heated. A tempering valve is also incorporated into this system as well.
- In addition to a temperature and pressure relief valve there is another brass slotted valve present on water heaters. This valve has no connection to accommodate a downspout or overflow tube. This type of valve is called a vacuum breaker valve that will prevent the water heater tank from imploding upon itself in the event of a serious pressure drop that creates a siphoning effect on the water supply.
- As with all oil fired heating equipment be sure to look for evidence of combustion pit failure by checking for the presence of a circular burn on the appliance opposite the oil burner gun.

9.11 Water Supply

HQS Requirements:

- To guarantee that the occupant has adequate clean water the unit must be served by an approved public or private sanitary water supply.
- If a municipality supplies the water, it passes. If water is supplied by means of a private well, inquire as to the nature of the water and ask if it has been tested in the past by the appropriate public agency as an approvable source of water.

- Do not require that a current test be obtained. In cases where water quality is questionable, (i.e. discolored, foul smelling, tenant complaint) it may be necessary to require the water to be tested.

DHCD Requirements:

- Water supplied to all faucets should be sufficient to meet the ordinary needs of the occupants (Mass. State Sanitary Code).

Inspection Tips:

- Water supply pipes can be made of different materials depending on the age of the home. Some are copper, galvanized iron, and in some cases they are lead. In cases where the supply pipe (the pipe coming in from the street) is lead there is cause for concern particularly if the unit houses occupants under 6 years old. There is no specific ban on previously installed lead water supply pipes or older type 50/50 solder in pipe joints.

- Water samples can be tested by the DPH State Lab. at:

Mass. Dept. of Public Health State Laboratory Institute
Environmental Lead Laboratory Room 310
305 South St.
Jamaica Plain, MA. 02130 Phone # 617-522-3700

- There is a cost for a test kit. The check must be accompanied by accurate address information for the lab to send the kit back. The kit comes with instructions for collecting samples at specific times so that the lab can pin point whether the lead is in the house piping or coming from the street piping. Also, tenants or owners can utilize water-filtering devices that remove 99% of lead from water. These devices can be installed at the faucet or in the water supply piping. If the filter is installed in the plumbing piping system it is a good idea to install a ground jumper wire across any plastic filtering device so that grounding of the electric can be maintained.

9.12 Plumbing

HQS Requirements:

- To assure that the unit is free of serious plumbing problems involving leaking or corroded pipes that could present a hazard to the occupants, the plumbing must be free of leaks or corrosion that could result in contamination of the drinking water. (Also see Mass. State Sanitary Code.)

HQS Fail Rating Required for:

- Leaking pipes (inspect for water on the floor or water in buckets under pipes);
- Pipe corrosion causing contamination of the drinking water. (Seriously corroded pipes and persistent levels of rust or contamination of the drinking water can be determined by observing the color of the water at several taps. Be sure the condition is persistent and not a temporary condition caused by city or town maintenance of water lines.). If the conditions are serious suggest the owner contact a licensed

plumber for repairs.

Inspection Tips:

- Do not touch or tamper with any corroded piping or valves. They might break and cause water damage.
- When inspecting basements, where the main water line enters the building look to see that any electrical grounding connections are connected.
- If a water meter has been added, a ground jumper wire should be installed around or across the meter so that electrical grounding is maintained if the meter is removed for service. Also, be aware that sometimes when the air is warm and the water in the pipes is cold, condensation can occur on the pipes and drops can appear. These are not leaks so look closely.

9.13 Sewer Connection

HQS Requirements:

- To guarantee that the unit is connected to a properly working sewer system the plumbing is required to be connected to an approvable public or private disposal system that is free from sewer back up.
- If the unit is connected to a municipal sewer system and is properly functioning the requirement is satisfied. If it is connected to a private system, ask the owner about the type and whether it meets local health and safety standards.

HQS Fail Rating Required for:

- Not connected to an approvable sewer system;
- Sewer leaks or frequent backups;
- Strong sewer gas smells;
- Chronically wet areas caused by sewer or septic back up or overflow; and
- Regularly clogged or slow drains.

Inspection Tips:

- There are several types of piping used for drainage and sewer lines. These include plastic, galvanized iron, and cast iron. With plastic piping, check for water spots on the floor below the pipes.
- With galvanized iron or cast iron, look for water on the floor and corrosion on the pipes. Cast iron pipes develop corrosion nodes that resemble stalactites seen in caves (dirty icicles) prior to failing.
- If you see these advise the owner to expect to replace the corroded section soon and to monitor for sewer leakage. Severe deterioration requires a fail rating.

10. MANUFACTURED/MOBILE HOMES

10.1 Smoke Detectors

HQS Requirements:

- At least 1 properly operating smoke detector is required in all manufactured or mobile homes.
- If there is no smoke detector present and operating, a fail rating is required.
- See Section 3.7 on Smoke Detectors for additional information on smoke detectors.

10.2 Mobile Home Tie Downs

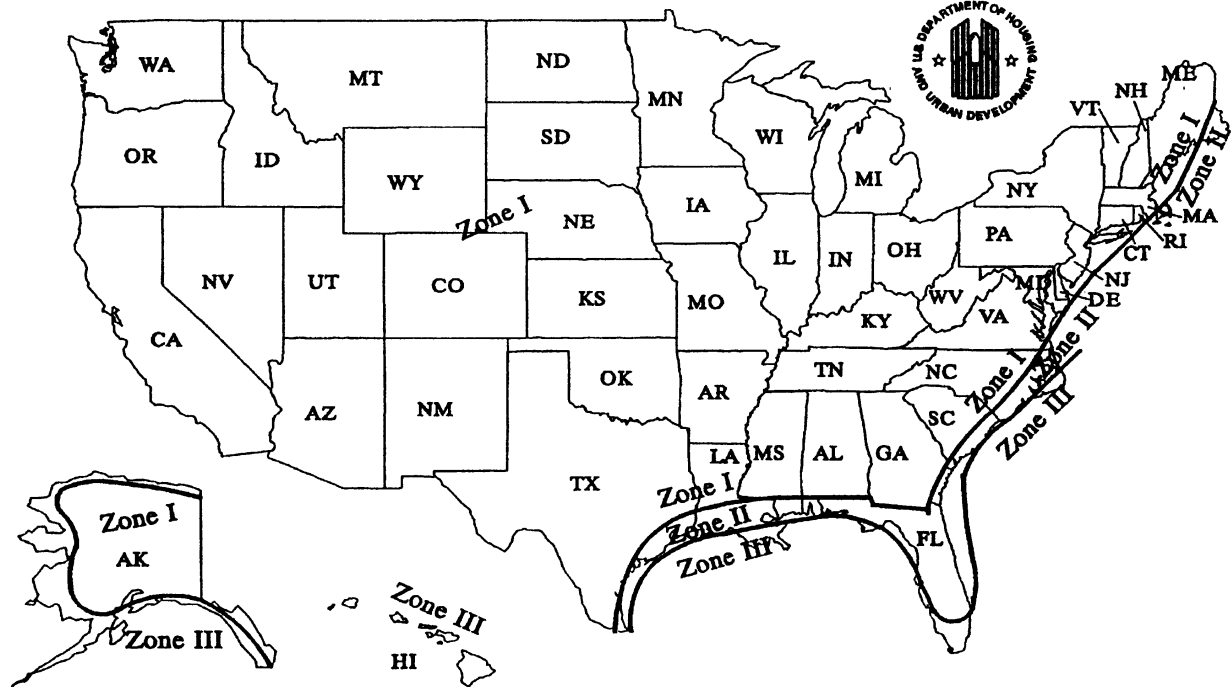
HQS Requirements:

- If the unit is a mobile or manufactured home it is required to be properly placed and tied down to prevent overturning, displacement, or other serious damage during a wind storm.
- Alternative types of anchors, beams, and foundation bolts are permissible provided they meet the manufacturer's specifications for the type of mobile home and wind zone. Local approval may be required.

Inspection Tips:

- There are 3 HUD wind zones in the United States: wind zone 1 (under 90 MPH), wind zone 2 (90 - 100 MPH), and wind zone 3 (101 - 110 MPH). See the attached map. Massachusetts falls within 2 wind zones.
- The state is located primarily in wind zone 1 with coastal regions in wind zone 2. Wind zone 2 includes the following counties: Barnstable, Bristol, Dukes, Nantucket, and Plymouth.
- The average cost of HUD approved tie down devices of all types and manufacturers, including parts and labor, is \$490.00 for a multi section and \$245.00 for a single section (information taken from the 1998 N.A.D.A. Manufactured Housing Appraisal Guide - May - August).

Basic Wind Zone Map for Manufactured Housing



NOTE: See Section 3280.305(c)(2) for areas included in each Wind Zone.

11. GENERAL HEALTH AND SAFETY

11.1 Basic Objective

This is a very broad category that requires inspectors to use good judgment and common sense. The basic objectives are to ensure the following:

- The tenant has direct access to her/his own unit assuring privacy of the living quarters.
- The tenant has an alternate means of exit from the building in the event of a fire.
- The tenant will not be exposed to chronic infestation of rats, mice, or insects.
- The tenant will not be exposed to unhealthful conditions from accumulation of garbage.
- The tenant has adequate means of storage and disposal of garbage and refuse.
- Interior and exterior stairways and common halls of the building are safe and adequately lighted.
- The interior of the unit is free from any other hazards not specified elsewhere.

- Elevators, when present, are operating so as not to present a hazard to occupants.
- The occupant is not exposed to abnormally high levels of harmful gasses or other pollutants.
- The occupants are not exposed to any dangerous site or neighborhood conditions.

11.2 Evidence of Infestation:

HQS Requirements:

- All units are required to be free of rats or severe infestation by mice or vermin, including squirrels, skunks, raccoons, possums and other wild animals.
- Rats may be evidenced by the presence of larger droppings, rat runs, or numerous settings of rat poison.
- Mice may be evidenced by the presence of smaller droppings, mousetraps, or holes chewed into food boxes. Roach infestation will fail if it is persistent.

DHCD Requirements:

- If infestation is chronic the owner must provide documentation to verify professional extermination (also see Mass. State Sanitary Code).
- If a professional exterminator is called in, the tenant will need to cooperate and provide access. Very often the entire building will need to be treated for the treatment to be effective. This applies to flea and/or bed bug infestations as well. Frequently, professional exterminators will need to treat the building multiple times to eradicate the problem.
- If the tenant's housekeeping is creating or contributing to the problem, the unit can fail for tenant caused.

Inspection Tips:

- Not all cases where occasional mice or roaches are present warrant a fail rating. It can be treated as tenant preference if the occasional appearance of these pests can be effectively managed by them.
- In cases of severe infestation be careful opening seldom-opened doors as roaches often hide in the crack between the door and frame.
- Advise clients in units with an infestation, who may be moving, to treat their furniture prior to moving into the new unit so that the infestation does not follow them.
- Remember that in instances where ants are present, the problem may be only temporary. Advise clients to use bait traps or ant hotels before requiring a professional extermination. A swarm of winged ants may be a termite infestation and should be evaluated by professionals.

11.3 Garbage and Debris

HQS Requirements:

- The unit must be free of heavy accumulation of garbage and debris both inside and out. "Heavy accumulation" means large piles of trash, garbage, discarded furniture, and other debris. This could include car parts or construction debris.
- Accumulations of this type generally result in infestations of rats and/or other vermin.

DHCD Requirements:

- The owner is ultimately responsible for the final collection, disposal or incineration of all garbage and debris.
- The owner is required to provide trash receptacles (barrels with tight fitting lids, dumpster, etc.) adequate in number, capacity and safety to temporarily contain the trash for all units between periodic contracted or municipal pick-ups.
- The owner must make every effort to locate the receptacles so that no objectionable odors enter the dwelling units.
- The occupant is responsible for placing garbage and debris in designated receptacles or other point of collection. If the occupant fails to do so the inspection fails as tenant caused.
- The occupant is responsible for maintaining the unit free of garbage, debris, filth or cause of sickness. If the occupant fails to do so the inspection fails as tenant caused.
- Also see Mass. State Sanitary Code.

Inspection Tips:

- Always ask tenants if the trash receptacles are adequate to contain trash for the length of the collection cycle. Include excessive pet droppings, improper storage or discarding of motor oil, and trash stored in common halls that blocks fire exits as tenant caused if the tenant is the source of the problem.

11.4 Refuse Disposal

HQS Requirements:

- Covered facilities for temporary storage and disposal of food wastes are required to assure that the tenant has adequate means of storage and disposal of garbage.
- "Adequately covered facilities" include trash cans with covers, garbage chutes, dumpsters with lids, and trash bags if approved by the local health or sanitation department.
- In most areas of the country the landlord is expected to provide the refuse disposal facilities in multi-family buildings, but in some instances it is the tenant's responsibility to contain the garbage and/or take it to the dump. If this is the lease agreement and the tenant does not comply the unit may fail as tenant caused.

11.5 Interior Stairs and Common Halls

HQS Requirements

- All interior stairs and common halls are required to be free of safety hazards to the occupant, such as loose, broken or missing steps on stairways; absent or insecure railings; inadequate lighting; or other hazards.

HQS Fail Rating Required for:

- Loose, broken or missing steps;
- Absent or insecure railings (a loose or broken handrail or railing can be more dangerous than a missing one because it allows a false sense of security);
- Missing railing at unprotected height over 30 inches;
- Inadequate lighting or absence of lighting for safety;
- Accumulation of items or debris on steps or blocked fire exits;
- Ripped, torn, or frayed trip-hazard stair coverings such as carpets or mats;
- A large number of missing sections of vertical railing called balusters (If balusters are missing, look for the remnant nail exposed under the handrail);
- Handrail missing on section of 4 or more steps (count the risers);
- Electrical hazards;
- Broken windows; and
- Gasoline or other flammables may not be stored in any area that comprises any part of the fire egress system of the building.

DHCD Requirements:

- The owner must provide operating light bulbs in all required light fixtures in all interior and exterior common areas of the building. (Also see Mass. State Sanitary Code and Mass. Building Code.)

Inspection Tips:

- Often owners will report that tenants are stealing the light bulbs from the common area light fixtures. If this is the case suggest to the owner that he/she switch to florescent light fixtures. These are more economical to operate and generally will not be stolen.
- In some instances light switches for public areas are located inside a tenant's unit, and therefore, are inaccessible to the other tenants. This could cause inadequate hallway lighting. In these instances, suggest that the owner replace the light switches with motion detectors that are located in each hallway or public area. These are available at modest cost at larger home centers and only the motion detector head can be purchased and wired in. The benefit to the owner will be reduced utility costs for common area lighting because the lighting will only be on as needed. The benefit to the tenants will be that the light will come on at each level as they approach.
- When light bulbs are missing look closely to see that the bulb is not broken off

within the socket. If it is, suggest that the owner shut off the switch and use a potato cut in half to push onto the remnant to remove it safely.

11.6 Other Interior Hazards

HQS Requirements:

The unit is required to be free of any other hazards that have not specifically been identified. These include:

- A nail protruding in a cut hazard fashion;
- A broken bathroom fixture with a jagged edge at a level that presents a cut hazard;
- A door that may fall due to loose or broken hinges. (Sometimes removal of the door, such as on a closet, is the best solution. Remember, there is no requirement for closets to have a door).
- Use good judgment in determining hazards not listed.

DHCD Requirements:

- The working condition of owner-installed optional equipment must be noted on the initial inspection report. Thereafter, the owner is responsible to maintain the equipment in good working order.
- Owner installed optional equipment may include, but is not limited to, doorbells and buzzer system, air conditioner, dishwasher, etc. Owners are encouraged to provide doorbells for individuals with hearing disabilities.

11.7 Storage of Flammables

- DHCD will allow the responsible storage of yard maintenance equipment such as lawn mowers, snow blowers, trimmers and chain saws in the basement. Storage of these items shall not be allowed in the unit or common areas.
- These items shall be stored as far away from the heating appliances as is practical.
- Storage may be disallowed for the presence of fumes or the proximity to flame producing appliances.
- It is recommended that these items be depleted or run out of gasoline prior to storage. Other items with gas tanks such as motorcycles or other motor vehicles, propane tanks for grills and kerosene and gasoline cans are not permitted to be stored in basements unless they are empty.
- The following exceptions are permissible by DHCD:
 - Storage is in an outbuilding or shed;
 - If the owner can provide written approval for storage from the local fire dept.;
 - If the storage area is a separate area only accessible from an exterior entrance;
 - If the area is enclosed with fireproof grade gypsum wallboard and is ventilated; and
 - The storage is not in any part of the fire egress system.

- The outdoor storage of gasoline or kerosene shall not be allowed under any stairs and they shall not be placed so as to create a hazard within a child play area or within the reach of children.
- Instances of improper storage of oil or other automotive fluids that may contaminate the ground require a fail rating, especially if children can access it. Advise clients to return used oil to the store where it was purchased for recycling free of charge.
- Retailers are required to accept up to 2 gallons per person per day with a purchase receipt. To report retailers who refuse to accept used oil from patrons who have a receipt call the Used Oil Hotline at 617-556-1022, Mass. Dept. of Environmental Protection.

Inspection Tips:

- When inspecting for flammables also look for improperly stored poisonous substances like paint or thinner that may be accessible to any children in residence. Also, be mindful of the proximity of any stored flammables to the heating appliance or water heater.
- The ideal place for storage of gasoline is in a shed not attached to the building or a garage out of the reach of children. Look to see that gasoline, or like substance, is not stored under any steps or porches that are part of the fire egress system for the building.
- It is not uncommon when inspecting homes to find evidence of "do it yourself" automobile repairs and not uncommon to see improperly stored and spilled used motor oil. Improper disposal of used oil is a serious environmental hazard.

Interesting facts about used oil -

- 1 quart of improperly discarded motor oil contaminates 1,000,000 gallons of ground water. That is over a 1-year supply of fresh water for 50 people. Undrained oil filters can contain up to 12 ounces of motor oil.
- The Coast Guard estimates that sewage treatment plants discharge twice as much oil into coastal waters as do oil tanker accidents - 15 million gallons per year versus 7.5 million gallons from accidents. A major source of this pollution is dumping of used oil into sewers and storm drains by do it yourselfers.
- Refining used oil takes only about 1/3 the energy of refining crude oil to lubricant quality.
- If all used oil improperly dumped by do it yourselfers were recycled, it could produce enough energy to power 360,000 homes each year or could provide 96,000,000 quarts of high quality motor oil.
- It only takes 1 gallon of used oil to yield the same 2.5 quarts of lubricating oil provided by 42 gallons of crude oil.
- Americans who change their own oil throw away 120,000,000 gallons of recoverable oil every year. If this oil were recycled, it would save the United States 1.3 million barrels of oil per day

11.8 Elevators

HQS Requirements:

- To assure that elevators, when present, are operating in a manner that does not pose a safety hazard to the occupant, refer to local licensing practices for elevators.
- If the unit being inspected contains multiple elevators, base your rating on the one in which you are riding. Ask the tenant if there are any problems with the other elevators, such as stopping between floors and doors opening.

DHCD Requirements:

- Elevators, in place, must be maintained and operational. Each RAA must adopt a follow-up procedure that ensures that all elevators receive a current inspection certificate prior to the next annual inspection.
- In the absence of a current inspection certificate, a current maintenance contract can be accepted.
- If there is no elevator certificate posted and no contract for maintenance from a qualified elevator service company available or if the elevator is not working properly, a fail rating is required.
- Elevators, in place, must be maintained and operational.

11.9 Interior Air Quality

HQS Requirements:

- To assure that the occupant is not exposed to abnormally high levels of harmful gasses or other noxious pollutants the unit must be free of abnormally high levels of air pollution from vehicular exhaust, sewer gas, fuel gas, dust, or other pollutants. "Abnormally high" means that the levels of pollution are consistently present in amounts that would constitute a continuing health hazard to the occupant.
- Air quality can be affected by external sources such as refineries, pulp or paper plants, chemical industries, proximity to heavy traffic, or proximity to truck or bus garages. It can also be affected by internal sources such as sewer or cooking gas, or fumes from improperly operating heating systems.
- RAA inspectors will probably be powerless to effect change in pollution from external sources; therefore, if levels are high enough to be dangerous to the tenant, the unit should fail.
- If the pollution is due to a malfunctioning gas appliance such as a stove or heating system, the landlord or utility company should be notified at once and the appliance turned off until repairs are made. This may constitute a 24-hour violation.

Inspection Tips:

- Inspectors should know that the symptoms of carbon monoxide poisoning are similar to the flu but without the fever. They include dizziness, fatigue, headache, nausea, and irregular breathing.
- Carbon monoxide is a greenhouse gas and is sometimes evidenced by very high

humidity air in the unit and excessive sweating on walls and windows. Since prolonged exposure can be deadly, suspected cases should be brought to the attention of the Inspection Supervisor for guidance. Documentation of repair by qualified persons may be required.

11.10 Site and Neighborhood Conditions

HQS Requirements:

- The site and immediate neighborhood must be free from conditions that would seriously endanger the health and safety of the residents.
- Examples of conditions that would seriously and continuously endanger the health and safety of the residents are:
 - Other buildings on or near the property which pose serious hazards (e.g., dilapidated shed, garage, or neighboring building with the potential for structural collapse);
 - Evidence of flooding or major drainage problems;
 - Proximity to open sewage;
 - Fire hazards;
 - Abnormal air pollution or smoke that continues throughout the year;
 - Continuous or excessive vibration of vehicular traffic (if unit is occupied, ask the tenant);
 - A vacant and vandalized building adjacent to the tenant unit;
 - No fence along an unprotected height, watercourse, or railway bed;
 - A dead or damaged tree with potential for injury or damage due to limbs falling; and
 - High crime, gunfire, bullet holes, and/or drug activity in close proximity to property.
- Some marginally acceptable conditions require inspectors to use good judgment to determine the acceptability of the site and neighborhood. Examples of marginally acceptable conditions that may pass but should be noted on the form are:
 - Unimproved space such as a nearby vacant lot with some trash;
 - Large bare patches on the ground around the building; and
 - Evidence of a general lack of maintenance (some litter or lawn in need of care).
- In making judgments about the site and neighborhood conditions consider the family composition. If small children are included, many of the above-mentioned items would require a fail rating. If older children or elderly adults comprise the family, many of these conditions, such as a fence along a run off waterway would not necessarily present a danger.

Inspection Tips:

- Always be sure that house numbers are visible from the street so that emergency response personnel can readily locate the building with a minimum of effort.

DHCD Requirements:

- If excessive garbage, trash, debris, or other obvious hazard is present on property adjacent to or providing access to the property being inspected and the family composition includes small children or elderly or disabled individuals, a fail rating is required.
- Even if the landlord of the inspected property does not own the littered property he/she may be required to pursue one of the following remedies:
 - Make the area clean and safe;
 - Construct a fence that will separate the property in question (suggest a low-cost fence such as roll wire garden fencing and steel posts available at larger home and garden centers and installed fairly easily); and
 - Notify the local board of health in writing, referencing Mass. State Sanitary Code, and provide copies of the letters which demonstrate the attempt to report the condition to the owner of the adjacent property and the RAA. The letters should remain in the tenant file.

12. LEAD PAINT REGULATIONS

12.1 History of the Massachusetts Lead Law:

- In 1960 there were thousands of cases of lead poisoning in Massachusetts. The exact number is unknown. What is known is that Massachusetts has an older housing stock than any other state with the exception of California and at that time the housing stock was badly neglected.
- The alarming number of cases led to the formation of a strong advocacy group dedicated to getting a bill through the legislature. In 1971 the bill was signed by then Governor Sargent and the law was enacted.
- In 1972 the Consumer Product Safety Division limited lead content in residential paint to .5%. This threshold was too high to be effective, and in 1978 lead paint was banned for residential use. Since its inception the Mass. Lead Law has been a work in progress evolving to become more effective.
- Despite previous action no one knew just how toxic lead dust was prior to 1985. A special legislative commission was formed to study the problem and a bill was passed that established that a child with a blood lead level of 25 micrograms per deciliter is poisoned.
- In 1988 the law changed to require the licensing of Lead Inspectors and De-leading Contractors and additional surfaces were required to be de-leaded.
- Again in 1993 the law was changed and relaxed somewhat to allow owners to maintain their own compliance thereby lessening expenses on de-leading professionals. Currently Massachusetts has one of the most progressive lead laws in the nation. It is also the only preventative-based law that checks children's blood

levels free of charge.

- In the last few years much progress has been made due to early intervention. In 1994 DPH began to visit and monitor children at immediate risk with blood lead levels of 20 to 24 micrograms per deciliter.
- Currently children with blood lead levels of 15 to 20 mcg/dl are monitored and the latest initiative is to send letters to parents of children with levels of 10 or more.

How effective is enforcement?

- Current data going back to FY 1987 indicates that at that time there were 1001 cases of children poisoned with levels of 25 mcg/dl or above. Data shows that in FY 1987 a rate of 5.5 children per 1000 were poisoned.
- The data for FY 1997 shows that the number of cases has dropped dramatically to 331, which reflects a rate of 1.3 poisoned children per 1000.

Saving Lives and Tax Dollars:

- In 1987 the Conservation Law Foundation published *The Silent and Costly Epidemic* that estimated the cost of caring for lead-poisoned children both medically and educationally. Keep in mind that the figures are many years old and represent 1987 dollars:
 - Medical costs of \$2400 per child x 2000 children treated = \$4.8 million dollars per year.
 - Special Education costs of \$6.2 million dollars per year x 2000 children not including speech or occupational therapy.
 - Costs of children kept back in school.
 - Add to this the lost tax revenue that could have been generated by these children had they reached their full potential professionally and whatever contribution they might have made to society.

12.2 Tenant Based Rental Assistance Requirements

- Section 8 tenant-based units housing children less than 6 years old must be in a Massachusetts CLPPP- approved form of compliance and have valid documentation if the building was constructed prior to January 1, 1978. A copy of the building permit is required if the building was constructed after January 1, 1978.
- All lead compliance is required to be maintained and all surfaces within the lot line are included unless a lot line waiver from CLPPP is included. Any damaged or rotted substrate material is required to be repaired prior to the treatment of the surface.
- All Regional Administering Agencies must develop systems to ensure tracking and follow-up inspections for various compliance documents. Accurate family compositions are required on all initial and annual housing inspection forms, and inspectors must routinely verify the family compositions.
- Painted surfaces that are not a lead hazard may be required to be maintained if the

paint failure is considerable and rot or deterioration of the building components is evident regardless of the ages of the occupants. Extensions of time may be granted for cause or weather considerations.

12.3 Project-Based Rental Assistance (including Mod-Rehab units)

- All Section 8 project-based units must be in Massachusetts CLPPP Lead Compliance regardless of the ages of the occupants and the owners must have valid documentation if the building was constructed prior to January 1, 1978. A copy of the building permit is required if the building was constructed after January 1, 1978. Exceptions may be granted if the building is single-room occupancy (SRO) or designated for only elderly or disabled persons with no children under 6 years old.
- All lead compliance is required to be maintained and all surfaces within the lot line are included. Any damaged or rotted substrate material is required to be repaired prior to the treatment of the surface.
- Project-based buildings built prior to January 1, 1978 are subject to soil testing for lead hazards if there are areas of bare soil in excess of 9 square feet in total. Mass. licensed lead inspectors are trained in soil testing. Allowable lead limits are more stringent in child play areas. Treatment for soil in excess of allowable limits can be as little as planting grass or plantings or installing and maintaining 6 to 12 inches of mulch or stone. For existing Mod-Rehab units, all soil test reports should be maintained in the tenant and inspection department lead file.
- All RAAs must develop systems to ensure tracking and follow-up inspections for various compliance documents. All initial and annual inspection reports must clearly indicate to the inspector that this is a Project-Based Unit to satisfy these requirements.

12.4 Section 8 Home Ownership

- Section 8 home ownership units are required to be inspected by a licensed home inspection company as well as by HQS/DHCD inspection requirements prior to closing.
- Mass. lead compliance documentation is required to pass inspection only if the family composition includes or is likely to include a child under 6 years old in the foreseeable future at the time of closing. DHCD discourages optional annual inspection of these units since the rent cannot be suppressed for inspection non-compliance.
- If after closing the family composition does change to include a child under 6 years old, the routine blood screening required for children under Mass. Law will trigger CLPPP Code Enforcement action should the child blood lead level exceed the allowable limits just as it will for any privately owned residence with an EBL child. DHCD has been advised by CLPPP that RAAs need not fear liability in this event.

Different Massachusetts Standards for Condominiums:

- Condominiums are separately deeded properties and lead compliance issues relating

to housing inspections can be very confusing. There are two types of condos; a garden apartment-style building with common hallways and a row house-style building with separate entrances exclusive to the unit.

- A garden apartment building with common halls that provide access to the unit and relevant interior and exterior areas is required to be in some form of CLPPP-approved lead compliance and compliance must be maintained. Condo owners are not free to treat the common areas or the exterior, so time extensions may be required for dealing with condo associations. Areas of defective exterior paint not associated with or relevant to the specific unit being inspected are considered separately deeded entities and are not required to be in compliance in order for the inspected unit to be compliant. Administering agencies may rely on the judgment of the lead inspector to make this determination. In instances where defective lead paint associated with the inspected unit is not being addressed by the owner or association, the tenant may be referred to CLPPP who will dispatch code enforcement inspectors to issue an order to correct. It is acceptable for the first condo owner who requests a lead inspection to have to pay for the dust wipes for the common areas, if needed, and be issued a Letter of Abatement Compliance. All subsequent owners would receive a Letter of Initial Compliance provided their unit interiors did not contain lead and the common areas remain in compliance. The subsequent owners would save money because there would be no dust wipes needed.
- In the row house-type building with accesses exclusive to the unit, the owner would be required to de-lead and maintain compliance only on the interior and exterior of their unit. Defective paint on another unit, even though the building exterior is continuous would not be within his/her control and the other owners are under no obligation to de-lead their exteriors as a condition of another owner's compliance. Administering agencies may rely on the judgment of the lead inspector to make this determination.

12.5 Children with an EBL (elevated blood lead level)

- When it is determined that a resident child has developed an elevated blood lead level there are specific actions that RAAs and PHAs must undertake. Tenants may refuse to answer specific questions regarding their medical information. If this occurs, program staff must record that the tenant refused to answer.
- If the level exceeds HUD Elevated Blood Intervention Lead Level of 15 to 19 micrograms per deciliter in 2 tests taken at least 3 months apart or a single test of 20 micrograms per deciliter, RAAs and PHAs must:
 - Get a copy of the lead inspection report from the owner.
 - Determine whether sodium sulfide or an XRF machine conducted the lead inspection.
 - If the lead inspection was done by sodium sulfide a new lead inspection by XRF is required because HUD does not recognize sodium sulfide testing.
 - The XRF test must indicate that all applicable surfaces below 5 feet with lead

content at or exceeding 1.0 mg/cm have been abated.

- Failure to comply must result in contract termination. Owners must take action or be in process within 30 days to prevent termination.
- Authorized persons must do all de-leading work and lead paint maintenance to achieve or restore compliance. This means that owner/agent must complete training for Low- or Moderate-Risk de-leading prior to treating the defective paint or utilize High-Risk authorized/licensed persons. Moderate-Risk Authorization is required in order to make loose lead-based paint below Mass. de-minimus levels intact.
- If the level exceeds 10 micrograms per deciliter or higher but below 15 micrograms per deciliter, clients should be advised to cooperate with CLPPP in all matters relating to lowering the child's blood lead level.
- Known EBL cases at 10 micrograms per deciliter or higher shall require a Post Compliance Assessment Determination if any defective surfaces are present. All de-leading and lead paint maintenance activities must be completed by Authorized Persons per CLPPP directive.
- A lead inspection report by sodium sulfide testing remains acceptable until the EBL reaches 15 to 19 micrograms per deciliter in 2 tests taken at least 3 months apart or a single test at 20 micrograms per deciliter. At this point an XRF lead inspection must be required.

Testing Methods:

- The Mass. law allows for 2 types of lead paint testing. One is a chemical Sodium Sulfide test that only indicates the presence of lead but does not reveal the actual lead content. The other is done by use of an XRF testing device that uses X-rays to determine the actual lead content of the paint.
- The law requires that any unit housing a child under 6 years old with an Elevated Blood Lead Level be tested by use of an XRF device. This is the preferred method of testing. HUD recognizes only XRF testing.

Effects of Lead Poisoning in Children:

- Lead is one of the most chemically active elements in the periodic table. The effects of lead ingested by children are especially devastating because a child's gastrointestinal system is extremely efficient. This means that when a child ingests lead their system allows more lead to get into their bloodstream than that of an adult.
- Once in the bloodstream, lead displaces calcium and iron. This impacts hemoglobin and reduces the blood's ability to carry oxygen to the brain and vital organs. Between the ages of 1 and 3 years is the most active time of brain development. This is also the time when children begin to crawl and also the time when they begin to put everything into their mouths. These two behaviors maximize a child's chances of ingesting any potential lead dust.
- Once lead poisoned, the level of effect depends upon the individual child. Behavioral changes that diminish human ability to learn like hyperactivity or attention deficit

disorder can occur. In some cases development reverses and a child that had learned to speak no longer can. Sometimes there is damage to the central nervous system, kidneys, and hearing.

12.6 Owner Certification

DHCD Requirements:

- In addition to the HQS, all units in Massachusetts are subject to the Mass. Lead Law.
- In addition to the building and unit, the scope of the Mass. Lead Law also applies to fences, outbuildings, garages, and all surfaces within the lot line. DHCD requires that these surfaces be included in the inspection.
- The rule does not apply to units built after Dec. 31, 1977, 0 bedroom units, housing designated exclusively for elderly or disabled persons (unless housing children under 6 years of age), units certified lead free by a qualified lead inspector (lead inspection report is required), and units occupied by families with no children under age 6. All Project-Based and Mod/Rehab units are required to be in compliance with the Mass. Lead Law regardless of the current presence of children under 6 years old. This is to be accomplished at the initial inspection and each periodic inspection thereafter.
- Contact the building department or tax assessor's office to document the date of construction.
- The requirements below are relevant to compliance with the Mass. Lead Paint Law - Mass. General Laws, Chapter 111, Section 197 and 105 CMR 460.000 Regulations for Lead Poisoning Prevention and Control.
 - Lead Paint Owner Certification- Effective February 1, 1990 **all** inspections for new units which will be occupied by a child under 6 years old and built prior to 1978 must include a Letter of Compliance (LOC), a Letter of (Re) Occupancy (Re) Inspection Certification, Certification of No Interior Dwelling Unit Violations Or Urgent Lead Hazards, or a Letter of Interim Control stating that the unit meets the requirements of the Mass. Lead Poisoning and Prevention Control Act as amended. These letters are obtained from the owner or landlord and must be reviewed to ensure validity.
 - RAA inspectors do not perform lead inspections.
 - Buildings constructed after January 1, 1978 do not require certification regarding lead paint. The owner may be required to submit a copy of the original Building Permit in order to verify the age of the building.
- During the interim of the lease, upon notification or knowledge of a new or additional child under 6 years old residing in the unit, the owner shall be given written notice allowing 90 days to submit an LOC.
- A 30-day extension may be granted to accommodate an owner who demonstrates a good faith effort to comply.

12.7 Authorized Persons

- Only a licensed lead inspector can inspect or test for lead paint. The inspector will issue a lead inspection report detailing the scope of the required work.

- Only authorized persons can perform de-leading work and the lead inspector must reinspect the property prior to issuing compliance documents. All copies of the lead inspection report and compliance documents should be kept in a safe place indefinitely.
- Any building that is determined to have undergone unauthorized de-leading can never qualify for actual lead compliance documents. Instead, a Letter of Unauthorized De-leading and the associated clean up documents are issued. Keep in mind that not all insurance companies will insure such a building.
- Authorized persons are people who have become CLPPP certified for de-leading work in one of three categories:
 - High-Risk De-leading- Must be conducted by persons who are licensed by the Department of Labors Standards (DLS) for high-risk work and associated clean up. These persons can conduct all aspects of de-leading in all three categories. This includes paint removal, making intact lead paint above de-minimus levels, and all other de-leading activities.
 - Moderate-Risk De-leading - Means these persons have completed a training course provided by CLPPP or DLS and are approved to conduct a limited scope of de-leading work and maintenance of lead hazards below allowable limits and associated clean up. Generally includes removal and replacement of windows, woodwork, and making intact lead paint below de-minimus levels.
 - Low-Risk De-leading - Means that these persons have completed a mail order course in safe maintenance of lead hazards below allowable limits and covering of defective areas and associated clean up. This includes covering, encapsulation, removing doors, and capping baseboards.
- All owners should be encouraged to get at least moderate-risk authorization. Additional certifications an individual may choose or be required to seek are below:
- DLS Lead Safe Renovator- A person authorized by the Department of Labor Standards for Moderate-Risk de-leading activities and associated clean up in renovation work.
- EPA RRP Certification - It is the responsibility of all owners to be in compliance with this law. Non- compliance is subject to heavy fines.

12.8 Inspections

- Prior to inspection the RAA should complete the family composition on the Inspection Checklist so that the inspector is aware of any children under 6 in the family. Inspectors should verify the accuracy of the family composition whenever possible and note corrections or changes on the form.
- Units that are part of the Project-Based programs should also be clearly identified on all RAA Inspection Reports.
- If required, the Inspection Checklist must include a section that indicates whether or not there is valid Lead Documentation on file. The checklist should indicate the type of documentation and date issued. Ensure applicable follow up is completed for any Re-Occupancy Letters, Letters of Interim Control or other time-sensitive documents

within required time frames.

- Whenever an inspection fails for defective paint the inspection report shall indicate, “treat defective paint.” Owners must be instructed not to “scrape” defective paint.

HUD Requirement:

- RAA inspection staff must complete the HUD Visual Assessment Training available on the Office of Lead Hazard Control website. This will prepare inspectors to identify lead-based paint hazards and familiarize them with the HUD De-minimus Standards. (These differ from the Mass standards which must be observed).
- Only licensed lead inspectors can conduct dust sampling under Mass. Law. RAA inspectors do not do dust wipes.

Where Lead-Based Paint Requirements Apply:

- The unit interior and exterior painted surfaces associated with the assisted unit.
- The common areas servicing the unit including those areas through which residents pass to gain access to the unit and other areas frequented by resident children under age 6, such as play areas and child care facilities. Common areas also include fences and outbuildings on the assisted property.

Conducting an Annual Inspection When an LOC is Already on File:

- During an annual inspection of a unit that already has compliance documentation on file the unit must be inspected for defective paint.
- In accordance with Childhood Lead Poisoning Prevention Program (CLPPP) policy, once the unit is in compliance with the Lead Law, the owner may be authorized to perform the work necessary to maintain compliance without employing a licensed de-leader provided the area of defective paint is below de-minimus levels.
- The owner is responsible to follow appropriate work practices and safety precautions under Mass Law and EPA RRP Rule and should be advised to contact CLPPP for information on how to become authorized and minimize hazards to themselves and tenants.

Inspection tips:

- All inspectors should advise owners or tenants to contact CLPPP for information on maintaining compliance safely. Also all owners should be made aware of the EPA RRP rule.
- It is always a good idea to have a copy of the original Lead Inspection Report on file. When properly completed, it will enable inspectors to ascertain if the defective paint surface in question contains lead.
- Suggest to owners who are going to have a property lead inspected to have the lead inspector test all surfaces, including ceilings, so that the lead content of the paint is not in question and appropriate safety precautions can be taken when working on those areas.
- Maintain all lead-related documentation in a separate inspection file as well as in the

tenant file for time-saving purposes.

12.9 De-minimus Standards for Lead-Based Paint

Massachusetts Requirements:

- Under the Massachusetts Lead Law, dust sampling and updated compliance documentation, by a licensed lead inspector, is required when defective lead-based paint above Mass. De-minimus levels is identified.
- Moderate Risk Authorization is required for persons treating defective lead-based paint areas with dimensions up to:
 - 10 square feet of defective lead paint on all exterior surfaces within the lot line; and
 - 2 square feet of defective lead-based paint per room on interior surfaces.
- Only licensed lead inspectors can conduct dust sampling under Mass. Law. RAA inspectors do not do dust wipes.

Federal Requirements:

- Under Federal Law, property owners and managers are responsible for ensuring the safe treatment of lead based paint hazards and remodeling activities disturbing more than 6 sq. ft. of lead based paint. This means that owners and managers are entirely responsible for ensuring that all persons performing work are certified for the level of maintenance that they are conducting. Generally this is RRP Certification and at least Low or Moderate Risk Authorization by CLPPP.
- Paint stabilization activities are necessary for defective paint surfaces above and below the de-minimus levels. Only those areas above de-minimus levels require extensive clean up and clearance in the form of dust wipe samples from a qualified testing facility or laboratory.
 - 20 square feet on exterior large surface areas (walls, decks, porch ceiling)
 - 2 square feet per room on interior large surface areas (ceiling, walls, floor)
 - 10% of interior or exterior small surface areas combined (trim, window sills, doors, porch columns)
- If needed, the repair of any substrate material is required prior to treating the surface paint.

DHCD Requirements:

- If needed, the repair of any rotted or damaged substrate material is required to be repaired prior to treating the defective paint areas.
- DHCD requires a Post Compliance Assessment Determination (PCAD) by a licensed lead inspector prior to the treatment of defective paint areas in excess of the Mass de minimus standards.
 - 10 square feet includes all exterior surfaces within the lot line
 - 2 square feet per room on interior surfaces
- Treatment of defective areas by persons not properly trained and "Authorized" by

the Childhood Lead Poisoning Prevention Program (CLPPP) or the Department of Labor Standards constitutes unauthorized De-leading.

- The Massachusetts exterior de-minimus standard of 10 square feet is the standard that DHCD must adhere to. It is important to remember that when calculating the square area of defective lead-based paint whether by room on the interior or on all of the exterior surfaces within the lot line that both the large and small surface areas are calculated together for the total square area. Do not combine the interior and exterior totals. Lot line issues may be referred to CLPPP for apartment complexes.

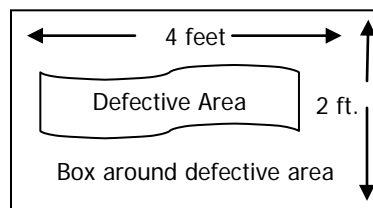
Merging HUD and Massachusetts Lead Regulations:

- DHCD adheres to the Massachusetts Lead Law as an appropriate level of protection equal to HUD's Housing Quality Standards
- DHCD requires all RAA inspectors to complete the HUD Visual Assessment Training in order to ensure that RAA inspectors determine a hazard and the area/amount of defective paint.
- If the area of defective lead paint is below the Mass. de-minimus levels, the owner may treat the defective paint using safe practices, and the unit may pass inspection. If the area of defective lead paint is above Mass. de-minimus levels, the work area is subject to extensive clean-up to avoid a lead dust hazard. Clearance must be obtained in the form of dust wipe samples and tested by a qualified test facility or laboratory.
- The Massachusetts Lead Law requires only licensed lead inspectors do dust wipe sampling. RAA inspectors do not act as "Clearance Technicians".
- In order to satisfy requirements, in instances where the area of defective lead paint is above de-minimus levels, Regional Administering Agencies must require that a licensed lead inspector conduct a "Post Compliance Assessment Determination".
- The protocols for Post Compliance Assessment Determination require dust wipe samples be taken, which will satisfy the HUD Clearance requirements. Owners must consult with the licensed lead inspector prior to treating the defective lead-based paint in order to avoid potential unauthorized de-leading.
- The licensed lead inspector will advise the owner or direct them to a course on the safe treatment of defective lead paint and the associated clean up in order to keep costs down. If the dust wipe samples do not pass, additional samples must be taken at additional cost until clearance is achieved.
- Once clearance is achieved, the licensed lead inspector will issue a Letter of Maintained Compliance if the paint maintenance activity was done by the owner or agents.
- If the owner elected to have the work done by a licensed de-leading contractor a Letter of Restored Compliance will be issued.
- If the building was constructed prior to December 31, 1977, in the absence of a lead inspection report issued by a licensed lead inspector indicating that the surface in question does not contain unacceptable levels of lead (xrf testing showing less than 1.0 mg cm), the only assumption that can be made is that the defective surface represents a lead hazard. At this point it is up to the owner to disclose the results of

a lead inspection.

12.10 Measuring Defective Paint and Bare Soil Areas

- Determining the area of defective paint and bare soil can be difficult because of the often irregular shape and clusters of defective areas. Painted areas are often above where an inspector can access them. A close approximation of the area of defective paint is all that can be determined.
- The best way to conduct measurements of defective paint and bare soil areas is to imagine a tight box around each defective area. Determine the height and length of the box around the defective area then multiply length by the height for the square area. Repeat the process for each affected area and add the square areas together for the total. An illustrated example is found below. In the example below the distance between the two sides is 4 feet. $4 \text{ ft. (length)} \times 2 \text{ ft. (height)} = 8 \text{ ft.}$ is the measurement of this defective paint area.



- The same is true for measuring the areas of bare soil except that it is usually easier because it is generally more accessible for measurement.
- Imagine the lines tight around the defective area and try to be considerate and fair to the owner. Interior and bare soil measurements are often irregularly shaped so measure a box around them that does not include a lot of unaffected area.
- A total area in excess of Mass. de-minimus levels requires a PCAD or one of the Owner Options which include:
 - Providing a lead inspection report showing lead content less than 1.0 mg cm by XRF testing;
 - Provide a lead determination of the cited surface by a licensed lead inspector showing below 1.0 mg cm by XRF test; and,
 - Have a Post Compliance Assessment Determination by a licensed lead inspector.
- Always be as fair as possible when making these determinations. Being too conservative will result in owners feeling slighted at incurring additional expense and inconvenience and the tenant may not benefit. Client safety and owner liability are key considerations.

Inspection tip:

- It is not always easy to determine the square area of defective paint high overhead. Sometimes it is helpful to consider the amount of space between the courses of shingles or between clapboards. This distance is called the reveal.

- While the reveal is not always a constant all the way up a wall, variations will be minimal. Once you know how many courses comprise a foot of height, it is easier to calculate.
- To calculate the approximate width, pace off or measure along the ground even with the edges of the defective area. Now multiply the 2 dimensions for the approximate square area.

12.11 DHCD-Approved Acceptable Lead Compliance Documentation

Building Permit:

- A building permit showing that the building was constructed after December 31, 1977 is acceptable and shall not require a Letter of Compliance.
- Remember that a permit to alter or remodel is not acceptable evidence that the building was constructed after 12/31/77, and additional information showing all surfaces are negative for lead paint or LOC is required.

Letter of Compliance (LOC):

- There are several types of LOC:
 - Letter of Initial Compliance – Means that no lead hazard violations were found on the day of the lead inspection (does not mean there is no lead-based paint).
 - Letter of Abatement Compliance – Means that lead-based paint was found and properly abated according to the Mass. Lead Law.
 - Letter of Restored Compliance – Is an addendum to the original LOC. It means that the building fell out of compliance, and compliance was subsequently restored by licensed professionals.
 - Letter of Maintained Compliance – Is also an addendum to the original LOC. It means that the building fell out of compliance and unlicensed persons used acceptable practices to treat the defective lead paint and a licensed lead inspector conducted dust wipe sampling and the building passed.
- Accept only original LOCs whenever possible. A noted copy of the original is acceptable as well as temporarily accepting a facsimile copy contingent upon viewing the original in order to expedite a new lease or continue the HAP.
- Remember that all Letters of Compliance contain the phrase, "The premises or dwelling unit and relevant common areas shall remain in compliance only as long as there continues to be no peeling, chipping or flaking lead paint and as long as coverings forming an effective barrier remain in place".

Letters of (Re) Occupancy, Certification of No Interior Dwelling Unit Violations or Urgent Lead Hazards, and Letters of Interim Control:

- **These are time sensitive documents.** Although these are not Letters of Compliance, provided the unit passes all HUD and DHCD requirements, these documents are acceptable and a lease may begin.
- When accepting either the Re-Occupancy Letters or the Certification of No Interior Dwelling Unit Violations or Urgent Lead Hazards documentation, the safest way to

ensure that the required Letter of Compliance is provided is to maintain the inspection with a reinspection date prior to the 90-day deadline.

- Letter of Re-Occupancy: A licensed lead inspector issues this letter in order to expedite the return of those tenants who were displaced from their home by the scope of the required de-leading work inside the unit. It certifies that all high- and moderate-risk activities in the interior of the unit have been completed and that the common areas and/or exterior are not yet in compliance. Because this letter does not constitute compliance, no Post Compliance document for this status is acceptable.

DHCD allows for the acceptance of this letter for a term of 120 days from the date of issue. This requires maintaining an active reinspection date prior to 90 days from the date the letter is issued so as to ensure follow up and allow a final 30-day extension that serves as a calendar month's contract termination notice. Additional extensions may be requested from DHCD for owners who are actively in the process of obtaining full compliance and demonstrating good faith efforts.

- Certification of No Interior Dwelling Unit Violations or Urgent Lead Hazards: This letter is basically the same as a Re-Occupancy Letter except it means that there was no de-leading work in the unit that caused the tenants to be displaced. There may be low-risk activities remaining in the unit but moderate- and high-risk activities are completed. There may be high or moderate-risk de-leading work remaining in the common areas or exterior. No Post Compliance document for this status is acceptable. DHCD authorizes acceptance of this letter under the same terms and time frames as the Re-Occupancy Letter with the same conditions for additional time extensions.
- Letter of Interim Control and Addendum: Letter of Interim Control is another time-sensitive lead document. Interim Control status is good for 1 year and is renewable for 1 additional year. Once a unit has had Interim Control for 2 years, Interim Control status can never be granted for that unit again. Sometimes this status is used to allow a new owner up to 2 years' time to build equity to finance the cost of de-leading or to allow an apartment complex time to de-lead all buildings in the lot line. Under the terms of Interim Control the building is not in full lead compliance but all urgent lead hazards identified by a licensed lead inspector/risk assessor have been addressed. Urgent lead hazards may include defective lead paint, damaged plaster, and roof or plumbing leaks.

Under Interim Control status, surfaces must be maintained or that status may be revoked by CLPPP and full compliance will be immediately required. CLPPP or the lead inspector/risk assessor prior to extending this status may order maintenance of Interim Control. Addendum letters called Maintained or Restored Interim Control are issued when necessary.

All DHCD Regional Administering Agencies are required to have in place an effective tracking system to ensure Interim Control does not expire or has failed to be maintained while a child under 6 years old resides in the unit.

Letter of Unauthorized De-leading or Document of Full Compliance Status or Document of Environmental Status:

- This letter is issued when it is determined by CLPPP that de-leading work has been conducted by persons not authorized or licensed for the work in an effort to obtain an LOC. DHCD allows acceptance of these letters because they clearly state that the unit currently meets the conditions for compliance with the Mass. Lead Law, and dust wipe samples have been determined to pass.
- As in all other cases, compliance is required to be maintained. If any defective surface is in excess of Mass. de-minimus levels a PCAD is required.
- Not all de-leading done by unauthorized persons in a renovation constitutes unauthorized de-leading. CLPPP decides these issues. There is no letter of maintained or restored compliance. The Mass. licensed lead inspector will provide CLPPP approved documentation once the dust wipes pass.

Pre-1988 Letters of Compliance:

- Lead inspections performed between July 1988 and July 1, 1990 must have been performed by an inspector registered with the Massachusetts Department of Public Health. Any lead inspection performed after July 1, 1990 must be performed by an inspector licensed by the Massachusetts Department of Public Health.
- Prior to 1988 windows did not have to be entirely de-leaded as they do now. **Any citation for any defective paint or glazing on windows in a unit with a pre-1988 LOC shall require a PCAD regardless of the de-minimus standards.**
- Any LOC issued prior to July 1988 must be accompanied by written approval of “grandfathered” status from the Massachusetts Childhood Lead Poisoning Prevention Program (CLPPP). In order to obtain grandfathered status, owners should be advised to contact:

Childhood Lead Poisoning Prevention Program
250 Washington Street
Boston, MA 02108
Tel: (800) 532-9571
Fax: (781) 774-6700

Web site – www.state.ma.us/dph/clppp

12.12 Post Compliance Assessment Determination

- When a housing inspector reports defective paint in excess of the allowable limits and dust wipe sampling is required to satisfy the Clearance requirement, under Mass. law a Post Compliance Assessment Determination (PCAD) by a licensed lead inspector is required to ensure the safe treatment and clean-up of the hazard. This will trigger the need for dust wipe sampling and an addendum to the original letter of compliance.
- PCADs must be conducted prior to the treatment of the lead hazard otherwise unauthorized de-leading may occur.
 - Owners will have 30 days to maintain their compliance themselves. After 30 days authorized persons must restore the compliance status.
 - In the case of an EBL child in residence with a level of 10 micrograms per deciliter or greater only “Authorized Persons” must complete all de-leading work

- or lead paint maintenance.
- A PCAD shall be required prior to the treatment of any lead hazards. The lead inspector will advise the owner on the scope and clean up required.
- A Lead Determination is not a PCAD. There is no Post Compliance document for Re-occupancy or Certification of No Interior Dwelling Unit Violations Letters.
- All instances of a child with an EBL at 10 or higher shall require a PCAD if any defective surface is cited.
- All PCAD activities represent an additional expense to owners. It is in the interest of all owners to proactively maintain lead-based paint hazards while the area remains smaller than the Mass. de-minimus levels in order to avoid additional expense and to protect the health of the occupants. All staff should be able to effectively communicate this to participating owners.
- DHCD requires that RAAs schedule new unit inspections that require an LOC only if the LOC accompanies the Request for Lease Approval. If the inspection is done prior to the submission of the LOC, the lease may begin as of the date the unit otherwise passes inspection provided the tenant is in occupancy and the LOC is a Letter of Initial Compliance which indicates that the unit did not require any abatement of lead-based paint.

Owner Options:

- In order to assure that participating owners are treated fairly, prior to requiring a Post Compliance Assessment Determination, they must be afforded the following options when they are cited for defective paint in excess of the Mass. de-minimus levels:
 - Provide a copy of the lead inspection report showing that the surface in question does not represent a lead hazard (already paid for).
 - If the lead inspection report shows that the surfaces in question are N/A (not accessible) or otherwise inconclusive, the owner may want to obtain a Lead Determination of only the surfaces in question from a licensed lead inspector prior to treating the surface showing that the surface is not a lead hazard (Could be an additional expense if a PCAD is required).
 - Obtain a Post Compliance Assessment Determination (PCAD) by a licensed lead inspector prior to the treatment of the surface (This is a full comprehensive lead inspection that allows a 30-day grace period for the owner to maintain compliance unless there is an EBL child in residence).

12.13 Surfaces Requiring De-Leading:

- Current law requires:
 - All mouthable wooden surfaces with a projection of ½ inch are de-leaded back 4 inches to a height of 5 feet. This means that any trim board that projects from a wall ½ inch or greater or the outside of comers of walls and doors must be de-leaded to the 5-foot level.
 - Any loose or flaking lead paint on all interior surfaces including floors, walls, and ceilings must be made intact as well as any loose or defective plaster.

- Flaking exterior surfaces containing lead up to the roof are also required to be made intact and any wooden railings or handrails must be de-lead.
- The proper clean-up of any residual leaded material must also be accomplished to insure the safety of the occupants. Lead paint professionals will advise and accomplish all of the required work. The law requires that you use them.
- Currently CLPPP has standardized all lead inspection forms. Variations existed in the past that made review confusing. All lead inspectors must now use the same inspection report and standardized abbreviations. Lead inspection reports group lead hazards into three types:
 - **M/I** = Moveable/Impacted surfaces which must be de-lead in their entirety.
 - **A/M** = Accessible/Mouthable surfaces which must be at minimum de-lead to 5 feet high and four inches in from the edge or corner.
 - **L** = Loose surfaces that must, at minimum, be made intact.

Inspection Tips:

- Most defective paint issues will be post compliance issues due to the fact that DHCD and RAAs require units to be de-lead to the Mass. Lead Law standards prior to coming under lease.
- It is a good idea to impress upon participating owners the importance of routinely monitoring and treating areas of defective paint prior to the area exceeding the de-minimus standards.
- If the defective paint is treated while under the de-minimus standards, the job will always be relatively inexpensive and take no more than one day to correct. Inspectors should keep an eye on properties under lease throughout the year and should contact owners when any issues related to lead compliance are identified. This will help owners to be proactive in compliance with lead laws and keep costs down as well.
- Know the Massachusetts de-minimus standards and be able to communicate them effectively.

12.14 Dust Wipe Analysis Reports

- Each RAA must develop staff capacity for interpreting dust wipe analysis reports. RAAs may accept new addendum letters of compliance without requiring dust wipe analysis reports.
- The number of dust wipes may vary depending on the number of rooms or location of the work area. The lead inspector will determine the required number and locations.
- Dust wipes are taken on floors, windowsills and window wells/troughs. Allowable lead dust limits have been set by CLPPP. All laboratories performing analysis must be accredited.
- The allowable dust limits are:

- 40 mcg/sq. ft. on floors
- 250 mcg/sq. ft. on window sills
- 400 mcg/sq. ft. on window well/troughs
- All samples are measured in micro-grams per square foot. The lead inspector takes the sample and measures and reports the applicable surface dimension, and the laboratory does the calculation for lead content.
- Each set of dust wipes represents a separate expense. All authorized persons are required to clean work areas until dust wipes pass. If after several attempts to clean have failed to pass dust wipe analysis, owners may be required to hire a licensed de-leader for a proper clean up prior to the lead inspector issuing an addendum compliance letter.

13. Asbestos Material

- Every owner must maintain all asbestos material which is used as insulation or covering on a pipe, boiler or furnace, in good repair and free from defects such as holes, cracks, tears, or looseness which may allow the release of asbestos dust or which may allow the release of any powdered, crumbled, or pulverized asbestos material. Whenever a unit fails for asbestos the owner must be advised to use qualified licensed asbestos contractors. Documentation shall be required.
- The citation on the inspection report must read: "Asbestos material must be maintained in good condition and free from defects in accordance with Massachusetts law."
- All RAAs shall require that all asbestos abatement work be conducted by only persons authorized under Mass. Law and documentation shall be required.
- Timelines for submission of the required documentation shall be subject to rent suppression and or contract termination timelines.

Inspection Tips:

- Inspection staff should not compromise their health by completing inspections in areas with visible defective or friable asbestos material. When such a condition is observed the inspector may, and should elect to halt the inspection until such time as the asbestos material is abated properly in accordance with the law.
- The inspection cannot pass until the clean-up is complete and then the inspection can be completed without the hazard to staff.
- Be aware that asbestos was used in many applications and can sometimes still be found on duct work and used as a vibration damper on forced hot air furnaces.