

**LOCAL REHAB PROGRAM
STREET ADDRESS
CITY, STATE, ZIP
PHONE**

**LEAD REQUIREMENTS WORKSHEET
2005**

DIRECTIONS: This worksheet must be placed in the project file for all residential properties that are assisted with Federal funds. Parts 1, 2 and 3 should be completed for all projects. Part 4 should be completed for rehabilitation projects.

Street Address: _____ Unit _____

City: _____ State: _____ Zip: _____

Part 1: Regulation Eligibility Statements

Check all that apply:

_____ Property is receiving Federal funds.

_____ Unit was built prior to 1978.

NOTE: If both Eligibility Statements above have been checked, continue with the Exemption Statements below. Otherwise, the regulation does not apply, sign and date form.

Part 2: Full Exemptions from All Requirements of 24 CFR Part 35 (The Lead Regulation)

If the answer to any of the following questions is yes, the property is exempt from the requirements of 24CFR Part 35 per the regulatory citation.

- Was the property constructed after January 1, 1978? [35.115(a)(1)] YES NO
- Is this a zero-bedroom unit? (e.g. SRO, efficiency) [35.115(a)(2)] YES NO
- Is this dedicated elderly ¹ housing? (i.e. over age 62) [35.115(a)(3)] YES NO
- Is this housing dedicated for the disabled ²? [35.115(a)(3)] YES NO
- Has a paint inspection conducted in accordance with 35.1320(a) established that the property is free of lead-based paint? [35.115(a)(4)] YES NO
- The date of the original paint inspection was _____. An optional paint inspection conducted on _____ confirmed this prior finding.
- Has **ALL** lead-based paint in the property been identified and removed, and

- has clearance been achieved? [35.115(a)(5)] YES NO
- Is the currently vacant unit to remain vacant until it is demolished? YES NO
[35.115(a)(6)]
- Is the property used for non-residential purposes, i.e. commercial, agricultural, industrial, public³? [35.115(a)(7)] YES NO
- Will **ALL** rehab **exclude** disturbing painted surfaces? [35.115(a)(8)] YES NO
- Are emergency actions immediately necessary to safeguard against imminent danger to human life, health or safety, or, to protect the property from further structural damage? (e.g. after natural disaster or fire) [35.115(a)(9)] YES NO
- Will the unit be occupied for less than 100 days under emergency leasing assistance to an eligible household? ⁴ [35.115(a)(11)] YES NO

Part 3: Hazard Reduction Requirements – Partial Waivers

If the answer to any of the following questions is yes, the grantee and/or occupant may waive certain requirements as described below.

De minimis [35.1350(d)(1) & (2)]

- Is the amount of painted surface that is being disturbed during construction below “de minimis” levels? If so, safe work practices and clearance are not required in that work area.
 - Less than 9 SF of bare soil? YES NO
 - Less than 20 square feet on an exterior surface YES NO
 - Less than 2 square feet in the following rooms: YES
 _____, _____, _____, _____
 _____, _____, _____, _____

Elderly Relocation Waiver [Interpretive Guidance Question J-24]

- Is the unit occupied by an elderly person(s)? If so, relocation of the elderly occupant(s) is not required if complete disclosure of the nature of the work is provided and informed consent is obtained prior to rehabilitation. YES NO

Historic Abatement Waiver [35.115(13)]

- Is a unit that is subject to abatement requirements listed or eligible for listing on the National Register of Historic Places, or does it contribute to a National Register Historic District? If so, the State Historic Preservation Office may request that interim controls be implemented rather than abatement. YES NO

No Exterior Work [35.930(d)(3)]

- Is no exterior paint to be disturbed during renovation? YES NO
(Only exterior stabilization required even in abatement jobs.)

No Children [35.1330(d)(1)]

- Are all of the residents over the age of 6? YES NO
(No chewable or play area treatments required.)

No Bite Marks [35.1330(d)(1)]

- Are all chewable surfaces free of bite marks made by children under 6? YES NO
(No chewable surface treatment required)

No Dust Hazards [35.1330(c)(1)(i)]

- Is the closest horizontal surface dust wipe below the clearance threshold? YES NO
(No friction and impact surface treatments required in the following work areas:
_____, _____, _____, _____)

Part 4: Rehabilitation Projects

Per Unit Level of Rehabilitation Assistance [35.915]

- A. Average Federal Funding Per Unit \$ _____
- B. Average Per Unit Rehabilitation Hard Costs \$ _____
(not including any acquisition soft cost or costs of lead hazard evaluation, reduction, clearance and training)
- C. Level of Assistance (lower of A or B) \$ _____

Approach Required (Based on answer to C, above)

- \$0 _____ Exempt from Lead Regulation
- \$1 – \$5,000 _____ Test & Repair Damaged Paint
- \$5,001 - \$25,000 _____ Risk Assessment and Interim Control of Lead Hazards
- \$25,001 and above _____ Risk Assessment and Abate Lead Hazards

Calculated by _____

_____ Date

I have evaluated the site, the specifications, estimated the rehab hard costs, interviewed the occupants and reviewed any hazard evaluation reports. In my professional opinion, this project meets the above requirement for federal lead hazard reduction under 24 CFR Part 35.

Signature

_____ Date

¹ Defined as retirement communities or dedicated types of housing reserved for households composed of one or more persons over age 62, or other age if recognized by a specific Federal housing assistance program. However, if a child under age 6 resides or is expected to reside in such a unit, the unit is not exempt.

² The housing must be designated exclusively for persons with disabilities, defined as any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of impairment, or is regarded by others as having such an impairment. However, if a child under age 6 resides or is expected to reside in such a unit, the unit is not exempt.

³ Except that spaces such as entryways, hallways, stairways, etc. serving both residential and non-residential uses in a mixed-use property are not exempt.

⁴ When a household is provided short-term emergency leasing assistance and will occupy a unit for less than 100 days, the unit is exempt from lead paint regulations. This emergency leasing exemption is attached to the unit, not the family, and is a one-time exemption. After being assisted for a total of 100 consecutive days, the unit becomes subject to regular Subpart K requirements. Multiple families cannot be cycled through the same unit at intervals of less than 100 days under this exemption.