



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

Deval L. Patrick, Governor ♦ Timothy P. Murray, Lt. Governor ♦ Aaron Gornstein, Undersecretary

Public Housing Notice 2012-19

MEMORANDUM

TO: All Local Housing Authority Executive Directors

FROM: Lizbeth Heyer, Associate Director
Division of Public Housing and Rental Assistance

RE: Lead Based Paint Legal Compliance

DATE: December 20, 2012

This is a reminder to all local housing authority (LHAs) regarding Lead Based Paint Certification. The Board of Commissioners at each LHA are required to certify lead based paint compliance with federal and state laws and regulations annually. Certifications must be submitted to the Department with the LHAs fiscal year-end operating statements. If your FY12 year-end operating statement has already been submitted but did not include the lead based paint certification, please have it signed at the next meeting of your board and send it to your Housing Management Specialist.

In order to certify compliance at year end, all LHAs are required to complete compliance tracking information in the online Lead Based Paint Compliance Tracking Database. This data base is contained within the DHCD Housing Apps online system . The web site is located at the following link: <https://app2.ocd.state.ma.us/housingapps/login.asp> . Data entry must be an on-going effort at your housing authority. Through the use of this database staff are reminded of notification requirements, it ensures that notifications requirements are being followed, that proper records are maintained and that the LHA is using safe work practices.

We cannot stress the importance of providing the required, accurately completed notifications to tenants, and certifying to your LHAs compliance. You will recall DHCD was required to have all LHAs participate in a training program per the terms of a consent agreement with the EPA. The consent agreement resulted from a finding of noncompliance by the EPA during a review of an LHA's lease and maintenance files. The LHA had distributed the lead law notifications, however, they were found in non-compliance due to one minor omission leading to a fine of \$500,000. EPA continues to perform on-site monitoring reviews of LHA compliance.

A Source Book with best practices and procedures can be downloaded from the website. All staff who did not attend the Lead Based Paint Compliance training should read the Source Book to become proficient in

compliance requirements. A printed copy of the Source Book should be readily available for staff reference. A Power Point Training Presentation is available on a CD. If you need assistance with the system or want a copy of the CD please contact your Housing Management Specialist.

Lead based paint documentation for dwelling units and common areas is legally required to be provided to new tenants at lease up. BidDocs Online has a new resource available for LHAs to electronically store lead based paint documentation. This can simplify your efforts to comply with disclosure requirements. Please contact support@biddocsonline.com to learn more about this opportunity

Funding from DHCD's Compliance Reserve is available for projects required to comply with laws, codes or regulations covering lead paint abatement. Contact your DHCD Project Manager for more information.

For more specific requirements of federal and state laws please see the following links: www.epa.gov/lead and www.mass.gov/dph/clppp