

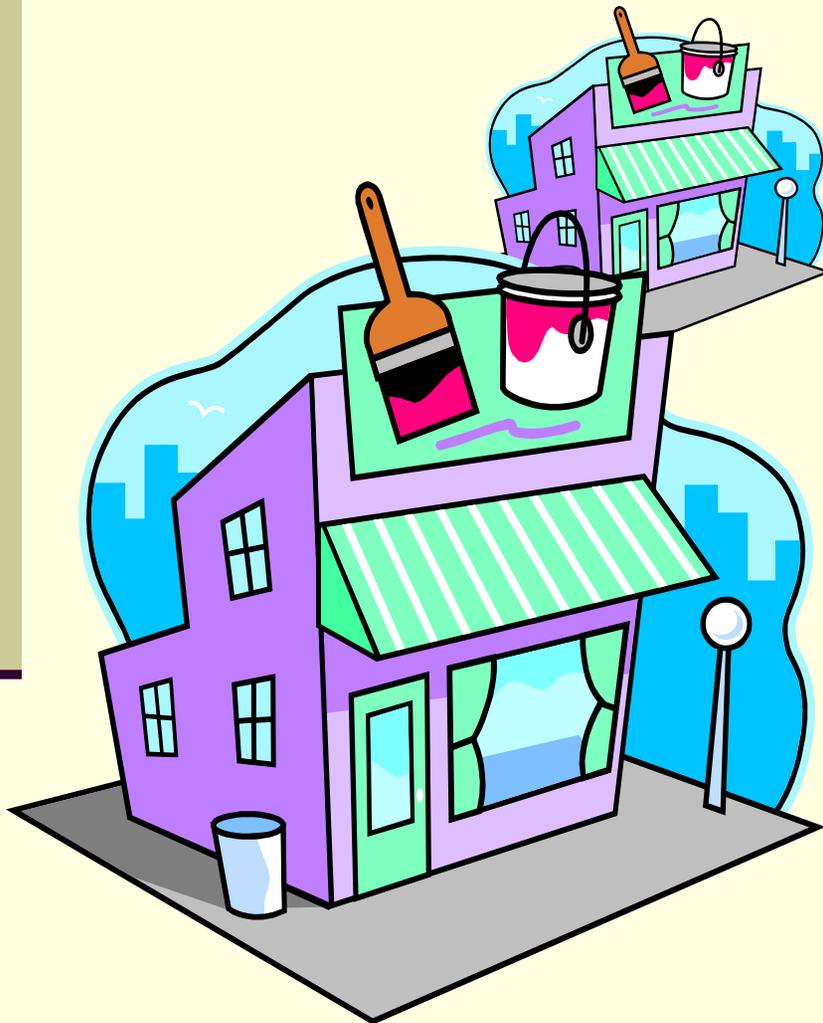


# HOUSING QUALITY STANDARDS (HQS)

Series 3  
LEAD-BASED PAINT  
AND INSPECTIONS



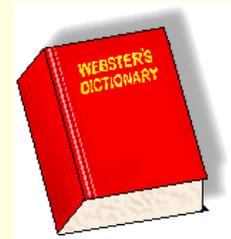
# Finding of Lead-Based Paint



- Defective paint found in units built before 1978 where children under six reside, or are expected to reside or spend regular time, are required to be repaired by HUD 24 CFR Part 35 within 30 days of notification.
- Any defective paint found during a Section 8 HQS Inspection, will be noted in Inspection booklet (form HUD 52580-A) rev 2/24/06



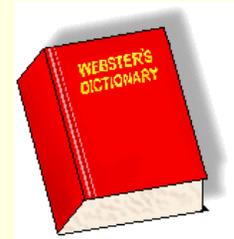
# LBP Term Definitions



- LBP – Lead Based Paint**
- Above de minimis** – An area of deteriorated paint above the HUD specified amount which requires the owner to obtain a *Certified LBP Clearance Report* after correcting the deteriorated paint.
- Below de minimis** – An area of deterioration that is too small to require a *Certified LBP Clearance Report*, but still requires the deteriorated paint to be corrected.
- Certified LBP Clearance Report** – A Licensed Missouri Lead Inspector or *Risk Assessor* of the owner's choice, will test horizontal surfaces for lead dust residue, after repairs have been completed. The results of the test will be written and given to the owner who shall then provide a copy to HAKC.



# LBP Term Definitions



- Deteriorated Paint-** Any paint that is peeling, chipping, chalking, cracking, worn or otherwise damaged or separated from the substrate is considered deteriorated.
- Substrate** – Any material underneath the applied paint. (wood, plaster, drywall, concrete.....)
- Owner's Paint Certification Form** – This form must be filled out every time deteriorated paint is cited. Both **above** and **below** de minimis require the owner to fill out and submit this form. The purpose of this form is to certify that proper repairs have been made to the property, and sufficient notice has been provided to the tenant.



# Lead Paint Owner's Certification Form

## LEAD PAINT OWNER'S CERTIFICATION Housing Choice Voucher Program

Date \_\_\_\_\_

The undersigned hereby certifies that the property located at:

Address of Unit \_\_\_\_\_

Tenant \_\_\_\_\_ Subsidy Number \_\_\_\_\_

Is in compliance with all Housing Quality Standards (HQS) requirements related to lead-based paint as indicated below.

(Mark ALL appropriate boxes)

- The described property, including dwelling units, common areas and exterior painted surfaces, has been found to be free of lead-based paint by a certified lead-based paint inspector (by XRF or Paint Chip test). The lead-based paint inspector's report is either attached or has been provided to the Housing Authority.
- The described property was inspected by a certified lead-based paint inspector or LBP Risk Assessor and lead-based paint was identified. All identified lead-based paint has been removed (abated) from the property, and the reports of lead-based paint inspector and the certified lead-based paint abatement supervisor is attached or have already been provided to the Housing Authority of Kansas City, MO.
- Ongoing lead-based paint maintenance activities have been incorporated into regular building operations in accordance with Federal Regulation 24 CFR 35.1355(a).

(NOTE: Only the last box below must be checked when lead hazard reduction activities do not disturb more than the HUD specified de minimis levels of 20 sq. ft. on exterior surfaces, 2 sq. ft. in any one interior room or space or 10% of the total surface area on an interior or exterior component with small surface area.) The last box must always be checked, indicating proper written notice was given to Tenant.

- Corrective action to address lead-based paint hazards at the described property that were required by the Housing Authority of Kansas City, MO to meet HQS have been completed in accordance with all requirements established by Federal Regulation 24 CFR Part 35.
- The work was completed by person(s) trained to conduct lead-hazard reduction activities (Lead-Safe work practices) or was supervised by a certified lead-based paint abatement supervisor (provide Certificate)
- Occupants of the dwelling unit(s) and their belongings were protected during the course of the work.
- The lead hazard worksite was properly prepared and maintained during the course of the work.
- A person certified to conduct clearance examinations performed a clearance test and the results indicate that clearance was achieved.
- Occupants have been properly notified of the results of any lead-based paint hazard evaluation and reduction, including the results of the clearance examination. *This box must always be checked.*

Owner's or Representative's Signature \_\_\_\_\_

Type or Print Signature name \_\_\_\_\_

Printed Owner or Company Name \_\_\_\_\_

Return signed, dated and completed form to:

Housing Authority of Kansas City, MO  
Attn: LBP Specialist - Section 8  
301 East Armour, Suite 150  
Kansas City, MO 64111-1212

Revised 8/08

Fill out all appropriate boxes - including:

Date - Unit Address

Tenant's Name

Tenant's subsidy number

Owner or Representative

Signature

Printed Name

Company/Owner's Name

Note: this form can also be

found online at

[hakc.org/section8/resources](http://hakc.org/section8/resources)



# Owner's Responsibilities



- Provide HAKC with verifiable year of construction.
- Disclose known LBP hazards to all potential residents, in writing, prior to execution of a lease.
- Provide all prospective families with a copy of the HUD pamphlet :

***“Protect Your Family From Lead In Your Home”***

[http://www.hakc.org/section8\\_resources\\_p1.html](http://www.hakc.org/section8_resources_p1.html)

Correct all deteriorated paint as needed.

- Notify tenants of LBP activities and reports.
- Perform all repairs in accordance with HUD lead-safe work practices.
- Provide HAKC with Lead Paint Owner's Certification form.
- Obtain Certified LBP Clearance Report as required
- Perform ongoing maintenance of all painted surfaces.



# Certified LBP Clearance Report

- A clearance exam is required once the paint is stabilized, and sufficient clean-up has been completed.
- Clearance examinations must include both:
  - A visual assessment to determine if any paint chips and/or lead dust hazards are still present and that all repairs have been completed.
  - The collection and analysis of dust-lead samples.
- Dust-lead samples are collected using a dust wipe of floors, railings, window ledges or any other horizontal surface adjacent to the area.
- Clearance sampling must be performed by an individual who is **authorized by** EPA regulations.
  - A trained Lead-based paint inspector or *risk assessor* may conduct a clearance examination if licensed in Missouri.
- A clearance examination must be performed in each area where the work has been performed, and any other areas, at the LBP inspectors discretion, to assure no LBP hazards remain.



# Above de minimis Standards

- If the amount of deteriorated paint is more than the listed standards it is said to be ***above de minimis*** and requires a satisfactory Certified LBP Clearance Report.
- Above de minimis standards.
  - Total of 20 square feet on all exterior surfaces.
  - 2 square feet on any interior surface in a single room or interior space.
  - 10 percent of individual smaller components. (window sills or troughs, stair treads, any door or window trim, door, thresholds, etc.)



# How to Calculate Above or Below de minimis

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- ❑ Example 1 - Calculate deteriorated area of an exterior Wall:
  - ❑ 3 feet x 6 feet = 18 square feet total area
  - ❑ 18 sq. feet is less than 20 sq. feet = **Below**
- ❑ Example 2 - Calculate deteriorated area of an interior wall:
  - 30 inches(2.5 feet) x 18 inches(1.5 feet)  
= 3.75 square feet
  - 3.75 sq. feet is greater than 2 sq. feet = **Above**



# How to Calculate Above or Below de minimis

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- Example 3 - Calculate total area of an individual component.
  - 12 inches x 6 inches = 72 square inches total area
  - Calculate ten percent (10%) of the total area:  
72 square inches x 10%(0.1) = 7.2 square inches
  - Deteriorated area:  
6 inches x 2 inches = 12 square inches.
  - 12 inches is greater than 7.2 inches = **Above**

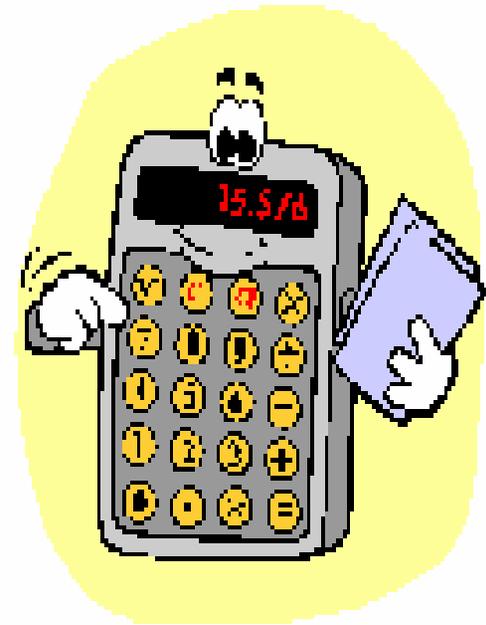


# Convert inches to feet

□ 4 inches =  $\frac{4}{12}$  = 0.333 feet

□ 17 inches =  $\frac{17}{12}$  = 1.417 feet

□ 39 inches =  $\frac{39}{12}$  = 3.25 feet





# Causes of Paint Deterioration

- Paint can become deteriorated because of:
  - Weather conditions.
    - Sun, Rain, Wind & Temperature changes-(freezing)
  - Moisture behind the paint.
    - Roof or Plumbing Leaks.
  - Friction against Hard Surfaces.
    - Opening, Closing or Impact.
  - Improper application of the paint.
    - No primer or Dirty Surface.
  - Damaged Substrate under the paint.
    - Settling, Shifting, Cracking or Rotting.
  - Worn heavy traffic areas
    - Steps, porches, thresholds.....



# Severe Deteriorating Paint

most or all paint is gone

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3.13 LBP

# Peeling Paint



from Poor Application of Paint or Weather



3.14 LBP



# Peeling Paint

from Poor Application of Paint or Weather

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3.15 LBP



# Chipping Paint from drying out



3.16 LBP



# Chipping Paint falling on the ground



3.17 LBP



# Cracking Paint from Drying out



3.18 LBP



# Cracking Paint

## from structural settling

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3.19 LBP



# Chalking Paint

## Paint Running onto other Surfaces

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3.20 LBP



# Chipping Paint from Unstable Substrate



3.21 LBP



# Blistering Paint

## from Moisture behind the Paint

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3.22 LBP



# Stabilizing Deteriorated Paint

- Once deteriorated paint has been identified, it must be repaired.
- It is the responsibility of the property owner to:
  - Protect the residents and their belongings during the removal of loose paint.
  - Repair the damaged substrate (under the paint)
  - Repair the paint (re-prime and re-paint)
  - Conduct cleanup (dispose of loose paint)
  - Fill out and return *Lead Paint Owner's Certification Form*.
  - Obtain a satisfactory *Certified LBP Clearance Report* and submit it to the inspection department.  
(if deteriorated surface is **above** the de minimis)



# Repair Substrate Damage



- Prior to repainting the surface of a damaged substrate, the cause of the damage must be repaired. The surface must be prepared to receive the new paint. (use a primer on bare wood or metal before painting)
- Repairing substrate damage includes repair or removal of:
  - Dry rot
  - Rust
  - Other components that are not securely fastened
  - Crumbling plaster
  - Missing siding
  - Moisture damage



# Repair Substrate Damage (continued)



- Repairing the deteriorated paint must include HUD lead safe work practices:
  - Do NOT use power sanders, they spread dust!
  - Use wet sanding and/or wet scraping to hold down the spread of dust and loose paint.
  - Protect the worksite by using plastic and/or a ground cloth to keep paint chips or dust from contaminating the resident's belongings or the surrounding areas.
- The key thing to remember during repairs is to minimize the amount of dust released.



# Repaint the Repaired Surface

- Clean area to be repainted with a damp cloth to remove any dust.
- Use a paint primer to seal any bare wood before painting.
- Use Exterior rated paint only for out door repairs.





# Clean up after Repairs



- Cleanup should be performed in the proper manner.
  - This should include misted sweeping and damp mopping to remove dust and debris.
  - Clean up any paint or dust at the worksite with a HEPA type filter vacuum and wash down any contaminated surfaces with detergents.
- Cleaning work areas will help reduce the risk of lead poisoning.





# LBP Notations on Deficiency List Example 1

- ❑ On all inspections where deteriorated paint is noted, a deficiency list will be sent to the owner & tenant listing the cited deficiencies. (all areas of deteriorated paint are required to be corrected.)
- ❑ Example 1: If deteriorated paint is found in the living room the deficiency list will look something like this:



## Living Room

1.9 - Correct all deteriorated paint per HUD lead-safe work practices including: door frame, door jam and threshold, then obtain a satisfactory certified unit-wide clearance report prior to the next inspection. (O)

- ❑ “*obtain a satisfactory certified unit-wide clearance report*” is the key phrase to look for.



# LBP Notations on Deficiency List

## Example 2

- ❑ On all inspections where deteriorated paint is noted, a deficiency list will be sent to the owner & tenant listing the cited deficiencies. (all areas of deteriorated paint are required to be corrected.)
- ❑ Example 2: If deteriorated paint is found in the bedroom the inspector notes will look something like this:



Bedroom (LF – 1<sup>st</sup> floor)

4.5 - Correct all deteriorated paint per HUD lead-safe work practices including: window trim and window trough. No clearance required. (O)

- ❑ “*no clearance required*” is the key phrase to look for.



# LBP Notations on Deficiency List

## Example 3

- ❑ Example 3: If deteriorated paint is found anywhere in the unit, 8.11 (General Health and Safety) will have the following statement:



### General Health and Safety

8.11 – Complete and return Owner's Paint Certification Form. Note: per HUD regulations, all required paint stabilization work cited above the de minimis (threshold) levels must be performed by workers properly trained in HUD lead-safe work practices, or supervised by a certified lead-based paint abatement supervisor. Copies of appropriate training or State of Missouri certification must be provided.(O)



# HAKC Staff Responsibilities

- Conduct HQS inspections.
  - Initial move in inspections
  - Annual (yearly) inspections
  - Complaint inspections.
  - Critical (tenant safety) inspections
- Note any deteriorated paint during any inspection.
- Type up & send deficiency list to owner & tenant.
- Reschedule failed inspections for 25 to 30 days.
- Conduct a follow up HQS inspection to verify that the cited deteriorated paint has been properly corrected.





# HAKC Staff Responsibilities (continued)

- Receive Lead Paint Owner's Certification form.
- Receive and verify Certified LBP Clearance Report if the HQS inspection requires a report.
- Reimburse of up to \$150.00 to the Owner toward their cost of obtaining the Certified LBP Clearance Report, **IS NO LONGER IN EFFECT** as of January 23<sup>rd</sup> 2006.



# Passing LBP inspections



- When the HAKC LBP specialist receives a satisfactory Certified LBP Clearance report he will review the inspection booklet for any outstanding deficiencies.
- When all deficiencies have been corrected, and the LBP specialist receives a satisfactory unit wide clearance report and owner's paint certification form, the unit can be passed.
- The effective pass date will be the date when all unit requirements have been met.
- If there are still uncorrected deficiencies, the unit will stay failed until all deficiencies are repaired. The date the deficiencies were corrected will be the pass date.



# Failed LBP Inspections



- ❑ Any deteriorated paint found in a unit during an inspection, will cause that unit to fail the inspection.
- ❑ If the deteriorated paint is not corrected or the required forms or reports are not turned in by the 2<sup>nd</sup> inspection, or within the HUD specified 30 days, the unit will fail again and be abated.
- ❑ If a request for a 3<sup>rd</sup> inspection is not made within 10 calendar days of 2<sup>nd</sup> inspection the HAP contract will be terminated and the property will be placed on the LBP Banned list.
- ❑ A property on the Banned LBP list is not eligible for future contracts with Section 8 until the LBP requirements have been properly satisfied, even if the property is sold or the current tenant moves out.



# Summary

- To prevent any LBP issues, keep all painted surfaces in good repair at all times. (LBP is only a hazard when it is deteriorated or disturbed.)
- Repair any deteriorated paint required by an HQS inspection before re-inspection.
- Submit the Lead Paint Owner's certification Form.
- Obtain a satisfactory (passes) Certified LBP Clearance report if required.
- Perform regular maintenance on the unit on all painted surfaces.