

Springfield, Mass. Landlord Fined for Failing to Notify Tenants about Lead Paint

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(Boston, Mass. – May 3, 2011) – A landlord in Springfield, Mass., has agreed to pay \$6,000 to settle EPA claims that tenants in a 99-unit building were not provided with information concerning lead paint, in violation of the federal lead-based paint disclosure requirements. These violations potentially put tenants at risk of exposure to lead-based paint hazards.

According to EPA's New England office, the owners of 122 Chestnut LLC allegedly violated the Lead-Based Paint Disclosure Rule on several occasions in 2007, 2008 and 2009 when they failed to disclose information about lead-based paint prior to leasing 10 apartments in the building. Specifically, 122 Chestnut LLC failed to provide a copy of EPA's lead hazard information pamphlet, Protect Your Family from Lead in Your Home, to the tenants and failed to ensure that the contract to lease included a lead warning statement. According to EPA, the landlord also failed to include, as an attachment or within the lease, a list of records or reports regarding lead-based paint and/or lead-based paint hazards or indicate that no such list exists. This action stems from a July 15, 2008 inspection of the property by EPA.

The Disclosure Rule is meant to give tenants adequate information about the risks associated with lead paint so that they can make informed decisions before signing a lease agreement.

Infants and young children are especially vulnerable to lead paint exposure, which can cause developmental impairment, reading and learning disabilities, impaired hearing, reduced attention span, hyperactivity and behavioral problems. Adults with high lead levels can suffer difficulties during pregnancy, high blood pressure, nerve disorders, memory problems and muscle and joint pain.

Federal law requires that property owners, property managers and real estate agents leasing or selling housing built before 1978 provide the following information to tenants and buyers: the EPA-approved lead hazard information pamphlet, Protect Your Family from Lead in Your Home; a lead warning statement; statements disclosing any known lead-based paint and lead-based paint hazards; and copies of all available records or reports regarding lead-based paint and lead-based paint hazards. This information must be provided to tenants and buyers before they enter into leases or purchase and sales agreements. Property owners, property managers and real estate agents equally share responsibility for providing lead disclosure information and must retain copies of records regarding lead disclosures for three years.

More information:

-Lead-based paint health hazards (www.epa.gov/ne/eco/ne_lead/index.html)

-Lead-based paint disclosure rule (www.epa.gov/ne/enforcement/leadpaint/index.html)

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<http://yosemite.epa.gov/opa/admpress.nsf/6d651d23f5a91b768525735900400c28/d26713d42c2c65b885257885005fdcf0!OpenDocument>