

Holyoke, Mass. Landlords Face Fines for Failing to Notify Tenants about Lead Paint

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(Boston, Mass. – May 9, 2011) – A property management company and four owners of rental properties in and around Holyoke, Mass., face EPA penalties of up to \$16,000 per violation for violating federal lead-based paint disclosure rules at properties in West Springfield and Holyoke.

According to a complaint filed by EPA's New England office, Atlas Property Management of Holyoke and the four affiliated property owners are charged with 27 counts of violating lead-based paint disclosure requirements between Feb. 2007 and Nov. 2009 when they rented 11 housing units at 10 properties.

Specifically, the parties are charged with failing to give tenants required lead hazard information pamphlets, failing to include lead warning statements in leases, failing to include disclosure statements regarding lead-based paint or lead-based paint hazards, and failing to provide records or reports pertaining to lead-based paint or lead-based paint hazards.

The allegations are based on documents obtained from Atlas during a Sept. 2007 EPA inspection, as well as from the company's responses to an Aug. 2009 EPA information request. Atlas is based in Holyoke and manages more than 250 residential rental units.

The federal lead disclosure rule, a part of the Toxic Substances Control Act, helps ensure that tenants get adequate information about the risks associated with lead paint before they sign any lease obligating them to rent the unit. 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 certain information to tenants and buyers, including: an EPA-approved lead hazard information pamphlet called "Protect Your Family from Lead in Your Home;" a Lead Warning Statement; statements disclosing any known lead-based paint and/or lead-based paint hazards; and copies of all available records or reports regarding lead-based paint and/or 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 each bear responsibility for providing lead disclosure information and must keep copies of records regarding lead disclosures for at least three years.

More information:

-[Lead-based paint health hazards](http://epa.gov/ne/eco/ne_lead/index.html) (epa.gov/ne/eco/ne_lead/index.html)

-[Lead-based paint disclosure rule](http://epa.gov/ne/enforcement/leadpaint/index.html) (epa.gov/ne/enforcement/leadpaint/index.html)

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