



FACTS ABOUT: MARYLAND'S "LEAD LAW"

SUMMARY OF COMPLIANCE REQUIREMENTS RESIDENTIAL RENTAL PROPERTIES

Title 6, Subtitle 8, of the Environment Article, Annotated Code of Maryland, and ("Act") was enacted to reduce the incidence of lead poisoning while maintaining affordable rental housing. The Maryland Department of the Environment (MDE) was given the authority to enforce the provisions of the Act. Currently, compliance is mandatory for rental dwelling units built prior to 1950, regardless of renovation history.

Effective January 1, 2015, the Act will apply to all residential rental dwelling units built prior to 1978.

COMPLIANCE REQUIRES THE FOLLOWING:

1. **REGISTRATION WITH MDE:** Owner must register all rental dwelling units within 30 days of acquisition and renewed on or before December 31 each year. Registration includes the payment of \$30 per rental dwelling unit.
2. **DISTRIBUTION OF TENANT EDUCATIONAL INFORMATION:** All tenants must be provided with the "Notice of Tenants Rights," and "Protect Your Family from Lead in Your Home" brochures and a copy of the current inspection certificate upon inception of the tenancy and every two years thereafter.
3. **MEET THE RISK REDUCTION STANDARD:** All rental properties subject to the Act are required to be lead inspected by a MDE accredited lead paint inspector upon the occurrence of certain triggering events. The lead inspector will issue a Lead Paint Risk Reduction Certificate and all supporting documentation, summarizing the findings of their inspection. The Accredited lead paint inspector will submit a copy to MDE and provide two copies to the owner. The owner should keep one copy for their records and give one to their tenant.
 - A. **MEET FULL RISK REDUCTION STANDARD AT EACH CHANGE OF OCCUPANCY IN A UNIT.** All properties subject to the Act are required to pass an inspection for lead contaminated dust, performed by an MDE accredited inspection contractor, prior to every change in occupancy. In order to pass the inspection the property must be free of defective paint on the interior and exterior of the property.
 - B. **MEET THE MODIFIED RISK REDUCTION STANDARD UPON NOTICE.** Within 30 days of being notified in writing of either paint defects in a property or that a child under 6 years of age or pregnant woman has a blood lead elevation of 10 micrograms per deciliter or more the owner is required to:
 1. Provide for the permanent relocation of all tenants to a property that is certified lead free or in compliance with the full risk reduction standard; or
 2. Temporarily relocated all tenants while all necessary work is performed and obtain a passing modified risk reduction certificate prior to the tenants moving back into the property.
4. **USE TRAINED WORKERS, ACCREDITED SUPERVISORS AND CONTRACTORS.** All work performed to meet a risk reduction standard must be performed by persons/companies who have been trained and/or accredited by MDE.

CERTAIN PROPERTIES MAY BE EXEMPT FROM THE ACT IF:

- The property is a hotel, motel or similar seasonal or transient facility; or
- The property has been lead paint tested by a MDE-accredited inspector and has issued a "Lead Free" or "Limited Lead Free" certificate. Any report submitted to the Department certifying a unit as "Lead Free" or "Limited Lead Free" shall include a processing fee of \$10 per unit.

For more information visit our website at www.mde.state.md.us/lead

