

Published by HOME GUARD to assist our valued clients towards a better understanding of critical environmental issues and legislation.

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Title X — LEAD DISCLOSURE

Effective 9-6-96 for owners of properties with more than 4 dwelling units

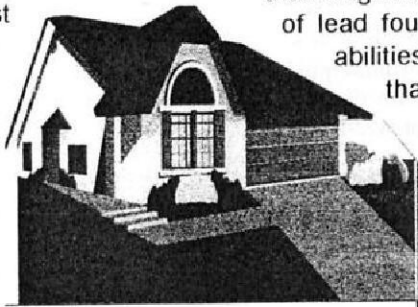
Effective 12-6-96 for owners of properties with 4 or fewer dwelling units

ITS EFFECT ON REAL ESTATE TRANSACTIONS

After years of debate and procrastination, the Residential Lead-Based Paint Hazard Reduction Act of 1992, more commonly known as **Title X** is effective 9-6-96 and 12-6-96. Section 1018 of the legislation requires the disclosure of lead-based paint hazards **before** the sale or lease of most housing built before 1978.

WHAT HAPPENS NOW?

- ◆ Sellers and landlords must disclose knowledge of lead-based paint and lead-based paint hazards and provide available reports to buyers or renters.
- ◆ Sellers and landlords must provide both buyers and renters with the pamphlet titled *Protect Your Family from Lead in Your Home*, developed by the EPA, HUD, and the Consumer Products Safety Commission.
- ◆ Home Buyers will get a 10-day period to conduct a lead-based paint inspection or risk assessment **at their own expense**. The rule gives the two parties flexibility to negotiate key terms of the evaluation.
- ◆ Sales contracts and leases must contain certain notification and disclosure language.
- ◆ Sellers, Lessors and **REALTORS** share responsibility for ensuring compliance.
- ◆ This rule **does not** require any testing or removal of lead-based paint by sellers or landlords.
- ◆ This rule **does not** invalidate leasing and sales contracts.
- ◆ Most private housing constructed prior to 1978 is affected by this rule. Housing built after 1977, Zero-Bedroom units, such as Efficiency, Lofts and Dormitories **are not covered** by this rule.



Disclosure of lead-based paint hazards is now the law

Some Background on Lead

Lead poisoning is the number one environmental hazard to American children. Recent studies have shown that exposure to lead is even **more dangerous** than originally believed. The amount of lead found to cause learning disabilities in children is much lower than previously thought.

People are exposed to lead not only through lead-paint chips and flakes that are visible, but also through the fine lead dust that forms. This lead dust can get on carpets, floors, furniture, toys and other objects, as

well as on the hands of children and adults in the home, who then run the risk of it getting into their bodies.

Though most emphasis has been on lead's effect on children, it must be stated that it is every bit as dangerous for adults; able to cause **high blood pressure, memory and concentration problems, kidney damage and nerve disorders**. It can also affect the ability of both men and women to have healthy children. If a woman is exposed to high levels of lead before, or while she is pregnant, the fetus could be affected as well. Lead can also lower a man's sperm count, which would lead to a decrease in fertility.

WHAT ARE THE HOMEOWNER'S OPTIONS?

Once the homeowner becomes aware of the existence of lead paint, a state-certified lead-testing laboratory should be called in. Their technicians will utilize any number of testing methods to determine, first of all, if a problem exists, and then, the extent of any problem.

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Environmental Perspectives

HOMEGUARD is the region's premier Residential Environmental Contractor, serving local needs since 1985. We take pride in providing:

- *ASBESTOS Abatement and Decontamination*
- *LEAD Abatement and Decontamination*
- *REINSULATION*

Important Information on Title X — Lead Disclosure

"Title X — Lead Disclosure. How does it affect Real Estate Transactions?"

"..... Sellers, Lessors and REALTORS share equal responsibility for compliance".

Title X

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Once a potentially dangerous lead situation has been identified, it becomes necessary call upon a licensed Lead Abatement Contractor to study the lab report and advise the homeowner as to the most desired method for remediation of his particular situation.

Abatement methods vary greatly; for example, in some instances window frames should be stripped, while in other instances it becomes more expedient to simply replace the windows. In the case of doors, stripping on-site, stripping off-site, or replacement, are all viable options, depending upon the circumstances.

Consultation with Lead Professionals will prove invaluable to both Realtors, Buyers and Sellers.

**WE'RE
HOMEGUARD,
AND WE'RE HERE
TO HELP YOU!**

At Homeguard, we stand prepared to assist you towards a better understanding of critical environmental issues. We can make presentations at your staff meetings, followed by question-and-answer sessions, or we can advise you one-on-one.

If it relates to the environment, we understand it, and we're only too happy to share our knowledge with you.

Please call us at (203) 353-1076 or (203) 255-9935, fax us at (203) 327-0005, or visit us on the Internet at: <http://www.environmental.net/homeguard>.