

THE CITY OF MEMPHIS
DIVISION OF HOUSING & COMMUNITY DEVELOPMENT/MEMPHIS HOUSING AUTHORITY



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OWNER'S LEAD-BASED PAINT RESPONSIBILITIES
For Lead Paint Violations Below De Minimus Levels

Lead-based paint rules apply only to pre-1978 units that are occupied by children under the age of six (6) or those that are anticipated to be occupied by children under the age of six.

The Housing Choice Voucher Program requires MHA to inspect units using Housing Quality Standards (HQS). MHA inspectors are trained to perform Visual Assessments to identify any deteriorated paint as part of their HQS inspection.

Lead-based paint regulations are intended to protect children under age 6. Lead-based paint poses a real threat to these children and can cause permanent damage, and in some cases death. The number one source of childhood lead poisoning is lead-based paint in the home, including interior and exterior. Lead-based paint poisoning is preventable by eliminating lead hazards in and around the home.

Specific Owner Requirements

The regulations require Owners to correct any inspector noted deteriorated paint within the time frame specified in the HQS violation notice sent to you. Failure to stabilize the deteriorated paint will result in abatement of the HAP payment and the family will be offered the opportunity to move.

HUD regulations establish safe methods for stabilizing the paint. Owner's paint stabilization requirements are directly related to a threshold, referred to as "De Minimus". Please read the specific detail on your inspection result level to determine the deteriorated paint violations.

De Minimus is defined as the area of deteriorated paint which is equal to or greater than:

- 20 square feet on exterior surfaces.
- 2 square feet on unit interior surfaces or interior spaces.
- 10 percent of individual building components (small areas of interiors and exterior).

Lead-based paint regulations state that deteriorated paint surfaces below the De Minimus threshold are subject to the following requirements in order to pass HQS:

- Removal of loose paint,
- Repair of substrate. The substrate is the material under the paint. Defective substrates may include dry rot; rot from moisture, crumbling plaster, missing siding or other materials not securely fastened.
- Application of two coats of paint to the repaired surface.
- Option: Instead of stabilizing all deteriorated paint, the owner has the option to test deteriorated paint for lead and then stabilize only the deteriorated paint that contains lead.

- Submission of the attached Owner's Self Certification to MHA Housing Choice Voucher Program within 5 days of the repair:

Memphis Housing Authority
Housing Choice Voucher Program
Attn: HCV Inspection Supervisor
700 Adams
Memphis, TN 38105

The HQS inspector will re-inspect the dwelling to determine if all deteriorated paint has been corrected.

It is the owner's responsibility to return the Owner's Self Certification to MHA within the compliance period stated on the HQS violation notice. Please read the Certification form carefully and fill out all areas that apply.

Attachment: Owner's Self Certification