

DISCLOSURE OF INFORMATION ON LEAD-BASED PAINT AND/OR LEAD-BASED PAINT HAZARDS — RESIDENTIAL LEASE / RENTAL

Property Address: [PROPERTY ADDRESS], [CITY], [STATE] [ZIP CODE] **Year of Construction:** 1970 **Date of Disclosure:**

Lessor (Landlord): [DISCLOSER NAME] — [SELLER S OR LANDLORD S ADDRESS] **Lessee (Tenant):** [RECIPIENT NAME]

Lead Warning Statement (Rental Transactions — 40 CFR §745.113(b))

Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, lessors must disclose the presence of known lead-based paint and/or lead-based paint hazards in the dwelling. Lessees must also receive a federally approved pamphlet on lead poisoning prevention.

Lessor's Disclosure

(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below)

- (i) Known lead-based paint and/or lead-based paint hazards are present in the housing.
- (ii) Lessor has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the Lessor (check (i) or (ii) below)

- (i) Lessor has provided the Lessee with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing.
- (ii) Lessor has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Lessee's Acknowledgment (initial each)

(c) _____ Lessee has received copies of all information listed above.

(d) _____ Lessee has received the pamphlet *Protect Your Family From Lead in Your Home*.

Note: Unlike residential sales, federal law does not require landlords to provide tenants a 10-day inspection opportunity for rental transactions (the §4852d(b)(1) inspection right applies only to

purchasers). Some state and local laws (e.g., Massachusetts, New York City) impose independent inspection obligations on landlords.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Lessor

PRINTED NAME

SIGNATURE

DATE

Lessee

PRINTED NAME

SIGNATURE

DATE

Federal Compliance Notices — Rental Transaction

Statutory basis. This disclosure is provided pursuant to the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X), 42 U.S.C. §§4851–4856 (principal provision at §4852d), and the implementing regulations at 40 CFR Part 745 Subpart F (EPA) and 24 CFR Part 35 Subpart A (HUD).

"Target housing" defined. This disclosure applies to "target housing" — pre-1978 housing other than (i) housing for the elderly or persons with disabilities (unless a child under 6 resides or is expected to reside) or (ii) zero-bedroom dwellings. 42 U.S.C. §4851b(27); 40 CFR §745.103.

Pamphlet delivery. The federally approved pamphlet *Protect Your Family From Lead in Your Home* (current EPA-approved version; verify current edition at epa.gov/lead) has been or will be delivered to the Lessee at or before the Lessee becomes obligated under the lease. Failure to deliver the pamphlet is an independent violation of federal law apart from this disclosure form.

Timing. This disclosure must be completed and signed **before the Lessee is obligated under any contract to lease target housing**. 40 CFR §745.113(b). For lease renewals, a new disclosure is not required if the original disclosure was proper and no new information concerning lead-based paint or

hazards has become available; if new information becomes available, the Lessor must disclose it and amend the lease.

Recordkeeping. The Lessor and any Agent shall retain a fully executed copy of this disclosure for a minimum of **three (3) years** from the commencement of the leasing period, pursuant to 40 CFR §745.113(c).

Penalties for non-compliance. Violation of 42 U.S.C. §4852d may result in civil penalties per violation as adjusted annually for inflation under the Federal Civil Penalties Inflation Adjustment Act (see 40 CFR §19.4 for the current amount), criminal prosecution for knowing and willful violations under 15 U.S.C. §2615 (fines up to \$50,000 per day and imprisonment up to one year), and a private right of action by the injured Lessee for **treble damages** plus costs and attorneys' fees under 42 U.S.C. §4852d(b)(5).

State-Specific Supplements

This disclosure is a standardized federal compliance document. It does not constitute legal advice. Consult qualified counsel regarding the application of federal, state, and local lead-paint laws to your specific transaction.