

Special Attention of:

**HUB/PC Directors for Housing
All Secretary's Representatives
All State Coordinators**

**Notice: OHHLHC-01-06
Issued: October 23, 2001
Expires: September 16, 2002
Cross Reference:
65 Federal Register 54858,
September 11, 2000**

SUBJECT: Lead Safe Housing: Notice of Extension of Date Certain Owners of Pre-1960 Housing Receiving Project-Based Section 8 Assistance Must Complete Risk Assessments

PURPOSE: This notice implements an extension of the date by which certain owners of housing constructed before 1960 receiving project-based section 8 assistance must complete risk assessments under the Lead-Safe Housing Regulation.

BACKGROUND: On September 15, 1999 (64 FR 50140), HUD published a new regulation amending 24 CFR Part 35 to streamline, modernize and consolidate all lead-based paint requirements in federally-assisted housing and housing being sold by the federal government to ensure that children are adequately protected from lead poisoning. The effective date of the regulation was September 15, 2000, one year later, to enable those covered by the regulation to prepare for its implementation. On September 11, 2000 at 65 FR 54858 (just before the effective date), HUD published a Transition Assistance Policy to aid in the transition to the new regulation.

The Department's Transition Assistance Policy included a commitment by HUD to pay for lead-based paint inspections and risk assessments in project-based Section 8 housing. HUD developed this program to enable owners of housing receiving project-based Section 8 assistance to determine whether or not their units are free of lead paint and where any lead-based paint hazards exist, if any. (See HUD's September 11, 2000 Notice of Transition Assistance and the related Transition Strategy to Implement HUD's Lead Safe Housing Regulation; both are posted at www.hud.gov/lea/leadnotice.doc.) HUD's Real Estate Assessment Center (REAC) has contracted for these inspections and assessments. HUD has sent previous notices to all project-based housing owners inviting them to participate in this free inspection service.

EXTENSION: HUD is extending the date by which certain owners of housing constructed before 1960 receiving more than \$5,000 per unit annually in project-based section 8 assistance must complete risk assessments under HUD's Lead Safe Housing Rule. For these owners, this Notice is extending the date for completing risk assessments from September 17, 2001 (24 CFR 35.715(a)(1)) until March 31, 2002.

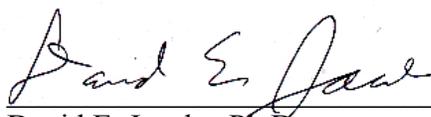
This extension is applicable only to those owners who have enrolled in HUD's lead-based paint evaluation program through REAC as of November 30, 2001. (See below for procedures for enrollment.) Owners who have enrolled in the program have demonstrated cooperation and a desire to comply with the regulation.

For those owners who have chosen not to enroll in the free inspection program, HUD is extending the date by which risk assessments must be completed to November 30, 2001.

This extension does not apply to the treatment of any lead-based paint hazards identified, and does not change the applicable schedules in the regulation by which the owner must treat those hazards, incorporate ongoing lead-based paint maintenance and reevaluation into regular building operations, and respond to a child under 6 years old with an environmental intervention blood lead level residing in a project-based assisted unit. It also does not apply to section 8 project-based assisted housing constructed between 1960 and 1977, which is required to undergo a risk assessment by September 15, 2003, nor to housing constructed after 1977, to which the Rule does not apply. Finally, the extension does not apply to owners who receive \$5,000 or less per unit per year in federal assistance, nor to owners receiving project-based assistance for single family housing, because the requirement for these types of housing is not a risk assessment and interim controls, but visual assessment and paint stabilization.

ENROLLMENT PROCEDURE: Owners and management agents for project-based section 8 properties desiring to participate in HUD's no-cost lead-based paint evaluation program must submit, no later than November 30, 2001, their name, telephone number, owner's name, and, for each property they wish to enroll, the property name, property address, and Real Estate Management System (REMS) identification number, to the HUD Real Estate Assessment Center's Technical Service Support Center, by toll-free phone call to 1-877-406-9220; or by e-mail to REAC_RECONS@hud.gov; or by mail or delivery service to The Real Estate Assessment Center, Department of Housing and Urban Development, 1280 Maryland Avenue, SW, 8th Floor, Washington, DC 20024-2135, ATTENTION: Lead Based Paint. The date of receipt of the submission by the Real Estate Assessment Center to participate shall constitute the date of enrollment in the program.

FOR FURTHER INFORMATION CONTACT: Warren Friedman, Director of the Planning and Standards Division, Office of Healthy Homes and Lead Hazard Control; telephone (202) 755-1785, ext. 104 (this is not a toll-free number); E-mail: lead_regulations@hud.gov.



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