

LEAD PAINT HAZARDS ON YOUR PROPERTY

Quick Guide



You have received this pamphlet because the Department of Public Health is asking all rental property owners to partner with us to end children's exposure to lead paint hazards in San Francisco.

This pamphlet will help you:

- 1. Identify lead paint hazards on your property;***
- 2. Avoid complaints and lawsuits from your tenants;***
- 3. Get updated on lead laws;***
- 4. Get free and low-cost help to reduce lead paint hazards.***

IDENTIFY LEAD PAINT HAZARDS ON YOUR PROPERTY



IS THERE LEAD PAINT ON MY PROPERTY?

Yes. Lead was widely used in both interior and exterior house paint until 1978, when new laws greatly reduced the amount of lead allowed. In San Francisco, 91% of homes were built before 1978, and most have older layers of lead-containing paint.

WHEN IS LEAD PAINT A HAZARD?

In general, as lead paint ages, it breaks down and may chalk or flake into small lead dust particles. These lead dust particles settle on surfaces in the home and the soil, and stay in the environment forever. Lead dust is a hazard to young children because they commonly explore their world through touch and taste, and unintentionally swallow lead dust.

When a child touches surfaces with lead dust particles and later places fingers in his or her mouth it can result in lead poisoning. The child's body absorbs lead as if it were a needed mineral, like calcium or iron. Gradually the lead builds up in his or her body and causes damage.

Lead is a poison that is especially harmful to young children and fetuses because of its effects on brain development. There is no safe level of lead in the body. Research studies show that any amount of lead detected in children's bodies may affect children's learning ability, attention span and growth. Lead can also poison workers and pets.

Specifically, lead hazards occur due to:

1. DELAYED MAINTENANCE



When property owners delay maintenance of their rental properties, older lead paint layers will degrade through peeling, chipping, chalking or cracking. Lead paint kept in poor condition releases lead dust particles.

2. FRICTION POINTS

If lead paint is kept in good condition, it usually is not a hazard. However, friction caused by lead-painted surfaces rubbing against each other can also generate lead dust particles. This might occur when opening and

closing lead-painted double-sash windows or friction from doors that have become out of alignment.





3. UNSAFE WORK METHODS

Lead dust hazards result when property owners or their contractors repair and renovate buildings or units using unsafe work practices, such as dry-scraping or power-sanding without effective containment and clean-up. Lead dust and debris spread inside the living space or around the building exterior. Later, people walking through the area, or wind and rain, cause the lead dust and debris to migrate to new locations.



ARE CHILDREN IN SAN FRANCISCO EXPOSED TO LEAD?

Blood testing reported to our program showed as many as 414 San Francisco children per year with lead detected in their bodies. Our experience investigating the homes of children with lead poisoning shows that almost all the homes had lead paint hazards.

AVOID COMPLAINTS & LAWSUITS FROM YOUR TENANTS



TENANTS FROM ALL NEIGHBORHOODS CALL US TO REPORT THEIR CONCERNS

Your tenants need lead-safe homes, and by law your rental property must meet that standard. These are typical complaints received by the Childhood Lead Prevention Program:

CONCERNS ABOUT PEELING PAINT

Not long ago, a tenant on Divisadero Street called us to report: *"The back wall of the house is peeling and I have spoken to the landlord about re-painting, but he has ignored me so far. I think the soil must be contaminated from the peeling paint too. I am afraid to let my kids go back there to play. I want to file for rent reduction and can you do anything to get the landlord to paint?"*



CONCERNS ABOUT UNSAFE WORK PRACTICES

Another tenant on Hayes Street called and complained: *"My landlord hired some unprofessional-looking painters to paint the outside of my building last week. They blasted and scraped all the paint off, and made quite a mess. There's now fine paint dust all over my furniture, on the bushes in the yard and on the soil. Can't something be done about that? I am concerned about my health."*



Callers also report unsafe work occurring inside their homes. A tenant on Octavia Street angrily told us: *"My landlord didn't give me notice that they were going to knock the ceiling open in my bathroom. Now there's dust all over the bathroom, in the hallway, in the kitchen. It's all over my stuff. My kids can't even go into their bedroom! Do I not have any rights here?"*



Yes, these callers have rights, so keep on reading.

VIEW EVERY JOB AS A LEAD JOB, HIRE LEAD-SAFE CONTRACTORS

Lead paint is not only a painter's problem. Home repair jobs such as electrical, plumbing, carpentry, or window replacement may break into lead painted surfaces and release lead dust. Before you hire someone, ask about their training and experience working safely with lead. The SF Building Code 3407 (see page 10) requires you and your contractors to use lead-safe work methods for any activity that disturbs paint. Cleaning a contaminated unit after unsafe work methods are used can cost several thousand dollars.



LEAD LAWS AFFECT YOU AND YOUR INVESTMENT

To protect children's health, City elected officials adopted lead-related laws that concern you, and those laws are now part of San Francisco's Health and Building Codes. In brief, these laws require you to prevent and control lead hazards in the units that you rent. Lead hazards that are not controlled are considered a violation of these laws.

When residents call to complain about lead hazard conditions, the appropriate City Agency will investigate these complaints and enforce relevant codes. The Agency will issue a Notice ordering you to correct any violations observed by the inspector. Owners must pay financial penalties if they fail to comply with the Notice.

LEARN ABOUT LEAD LAWS AFFECTING YOU



Property owners are expected to know their legal obligations in renting property. To learn how to prevent lead hazards on your property, become familiar with the following five lead laws.

1

The San Francisco Health Code Article 11 applies to all housing; Section 581 (b)(10) prohibits lead hazards. The Department of Public Health (DPH) Childhood Lead Prevention Program enforces this code.

- DPH can presume any paint, both interior and exterior, found on buildings and other structures built before 1979, to be lead-based paint. DPH inspectors can therefore issue a violation when observing damaged paint conditions in pre-1979 buildings.
- You must provide housing free of lead hazards in any residential setting where children may spend a significant amount of time.
- The San Francisco Health Code defines a lead hazard as “Any condition that exposes children to lead from any source, including but not limited to lead-contaminated water, lead-contaminated dust (dust-lead hazard), lead contaminated soil (soil-lead hazard), and paint-lead hazard in dwelling units or other locations” [Article 26, Section 1603 (w)]

- In response to lead poisoning lab reports and complaint calls, DPH inspectors visit the site to identify lead hazards, and often take environmental samples.
- When DPH inspectors find lead hazards, they require the owner to fix the hazards using trained workers certified by the State Health Department to use lead-safe construction practices (see Laws #2 & #3 below).
- DPH staff may sometimes order specific tenant relocation benefits which must be paid by the property owner if DPH orders the tenants to vacate their units due to lead hazards.

For low-income owners, or those owners who rent to low or moderate-income tenants, the Mayor's Office of Housing may be able to pay for these repairs (see Resources section).

Contact DPH to obtain more information on SF Health Code requirements, lead hazard prevention, and resource referrals.

DPH-CHILDHOOD LEAD PREVENTION PROGRAM

1390 Market Street, Suite 210, SF 94102

Tel.: (415) 252-3800 or visit

<http://www.sfdph.org/cehp/Lead.htm>

This website will allow you to view this booklet online.

2

The San Francisco Building Code, Section 3407, requires safe work practices for all activities resulting in the disturbance or removal of lead-based paint from work on:

- The EXTERIOR of any pre-1979 buildings or any steel structures, and/or
- The INTERIOR of any pre-1979 residential building or child-care facility.

The Department of Building Inspection (DBI) Lead Abatement Division enforces this code.



Different containment and barrier systems used to prevent the migration of work debris.

- This code lists required performance standards and prohibited work practices that the property owner and/or their contractors must follow when performing work that disturbs or removes lead-based paint, including maintenance, renovation or demolition activities.
- In addition, this code identifies the required notifications that the property owners and/or contractors must fulfill before performing the work.

Contact the Department of Building Inspection (DBI) - Lead Abatement Division to obtain information on the SFBC 3407 or to file a complaint about unsafe work practices.

DBI-LEAD ABATEMENT DIVISION

1660 Mission Street, SF 94103
Tel.: 415/558-6598 or visit

Brochures, publications and handouts can be found at: http://www.sfgov.org/site/dbi_page.asp?id=18634
Click on "What You Should Know About Work Practices for Disturbance and Removal of Lead-Based Paint."

For other Lead Abatement Division forms and materials to help you comply with the law, see: http://www.sfgov.org/site/dbi_page.asp?id=18633

3

State Law, CCR Title 17, Chapter 6 requires property owners of public and residential buildings to hire only lead-certified contractors to specifically do work that reduces lead hazards. Per Title 17, ANY deteriorated lead-based paint (flaking, chalking, chipping, peeling) is a lead hazard.

To meet this demand, the State of California has approved private training courses where contractors can learn safe methods of working with lead paint and pass an exam to receive certification. You can ask your contractors to provide proof of this certification, or call the information line below to verify their status.

Call the LEAD-RELATED CONSTRUCTION INFORMATION LINE at 1-800-597-LEAD (1-800-597-5323) to:

- Verify contractor's lead certification
- Find certified lead professionals (supervisors, workers, inspector/risk assessors). Also see <http://www.dhs.ca.gov/childlead/html/B40.html>

4

Federal law, 24 CFR Part 35 and 40 CFR Part 745 require landlords to (a) disclose to new tenants knowledge of lead paint or lead paint hazards before a lease takes effect, and (b) provide tenants with the US EPA booklet "Protect Your Family from Lead in Your House" in the appropriate language. In addition, landlords or renovators who disturb more than two square feet of painted surface must give tenants the same booklet before working.

Contact the NATIONAL LEAD INFORMATION CENTER for the required materials by calling 1-800-424-LEAD [5323] or visit

<http://www.epa.gov/lead/pubs/leadbase.htm>

<http://www.epa.gov/lead/pubs/leadprot.htm>

Go to the above websites for an overview of the “Disclosure Rule” and for downloading the required booklet in multiple languages.

5

If you are a Section 8 landlord, receiving rent subsidies from US HUD or the San Francisco Housing Authority, you must also comply with the “Lead-Safe Housing Rule” (24 CFR Part 35, subparts B-R). Call HUD’s number below for more information. The regulation emphasizes reducing lead in house dust because research has found that exposure to lead in dust is the most common way young children become lead poisoned.

Contact HUD’S LEAD PAINT COMPLIANCE ASSISTANCE CENTER toll-free at 1-866-HUD-1012

You can consult the summary of requirements for the “Lead-Safe Housing Rule” at

<http://www.hud.gov/offices/lead/leadsaferule/index.cfm>

GET HELP

TO REDUCE LEAD PAINT HAZARDS

We strive to prevent all children in San Francisco from being harmed by lead. For the sake of our children's health and future potential in life, we urge you to use these resources to reduce lead hazards on your property.

LEARN TO COMPLY WITH THE LAW:

Attend this new low-cost Lead Awareness Class offered by a CDHS-accredited training provider, Rhapsody Green Center. This 4-hour class will teach both property owners and their maintenance workers how to comply with San Francisco's lead laws, such as SF Building Code 3407.



RHAPSODY GREEN CENTER-LEAD AWARENESS CLASS

Call: (415) 824-5010 or visit:

www.rhapsodygreencenter.com

*Other CDHS-accredited training providers are listed at:
<http://www.dhs.ca.gov/childlead/html/CRTcrse.html>*

GET DISCOUNTED LEAD-FREE WINDOW

REPLACEMENTS: Use the Energy Program at the San Francisco Department of the Environment (SFE) to eliminate lead hazards at windows and save energy costs. SFE's program is for multifamily property owners, regardless of income.

SFE - ENERGY PROGRAM

11 Grove Street, SF 94102

Call the Energy Watch Hotline: (415) 355-3769

Visit <http://www.sfenvironment.org>

From "Our Programs," scroll down to "Energy" and click on "Efficiency."

GET LEAD HAZARDS FIXED FOR FREE: Find out if the Mayor's Office of Housing (MOH) Lead Hazard Reduction Program can pay for lead hazard repairs on your property. MOH can fix the lead hazards on your property for free if you are a low-income property owner, or if you rent to low or moderate-income tenants with children six years of age or younger. Visit their website to see if you are eligible for services.

MOH-LEAD HAZARD REDUCTION PROGRAM

1 South Van Ness Ave, 5th floor, SF 94103

Call: (415) 701-5500 or visit:

http://www.sfgov.org/site/moh_index.asp?id=24131

Click on "Lead Program" to access Lead Hazard Reduction Program information.



CHILDHOOD LEAD PREVENTION PROGRAM

San Francisco Department of Public Health
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San Francisco, CA 94102
(415) 252-3800



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