

“Get Ahead of Lead” July 2025 Bulletin

July 07, 2025

Dear Property Owners,

Furthering our commitment to providing property owners information on their obligations under the law, the Department of Housing Preservation and Development (HPD) will be publishing a series of quarterly bulletins online and via email. Each bulletin will highlight one aspect of the law and is not meant to comprehensively cover all laws and rules that apply. Visit the [HPD website](#) to read this bulletin and past bulletins in other languages.

This publication is intended for informational purposes only and is not intended as legal advice. This information is not a complete or final statement of all the duties of owners and tenants regarding laws and rules relating to housing in New York City.

NYC Upcoming XRF Lead Testing Requirement

Important: Missed Our Live Training? Don't Worry – You Can Still Catch Up! New York City's upcoming XRF Lead Testing Requirement deadline is around the corner - August 9th, 2025. If you couldn't join us at our recent informational event, you haven't missed out. Head over to our [Lead Webpage](#) under Webinars and check out our “[Required Lead-Based Paint Testing for All Rental Units in NYC](#)” training.

Get the facts, understand the deadlines and make sure your property is ready! If you own a residential building in NYC built before 1960, you are legally required to complete XRF Lead-based Paint testing in all units and common areas by August 9th, 2025.

If you have not already begun or completed this process, **now is the time to act.** Hire an EPA-certified inspector or risk assessor to perform the required testing and ensure your building remains in compliance with [Local Law 31](#) and [Local Law 111](#).

For step-by-step guidance, visit our Lead-based Paint Webpage and review the section titled “Paint Testing Requirement”. You'll find detailed instructions, FAQs, and resources to help you navigate this process.

Do you still have questions? Contact our Lead-based Paint Administrative Unit at 212-863-5501 (Option 5) and someone will be in touch to address your concerns.

Here's what you need to know about how to remove violations!

Overdue Lead-Based Paint Record Keeping Violations

[The Record Production Order Dismissal Request](#) provides owners and managing agents who have been issued 618, 619, and 620 violation order numbers with an opportunity to have record production orders dismissed by providing at least three years of acceptable records and paying a fee for any years for which records are not available or unacceptable.

Pros:

- Lead-based paint violations can affect financial transactions related to the building. Clearing these violations can impact future financial transactions, avoiding delays with future property sales and potentially impacting insurance.
- Let potential tenants know that an apartment is safe for their children.

More information specifically related to the lead-based paint record keeping violation dismissal process can be directed to the Lead-Based Paint Administrative Unit at 212-863-5501 (Option 5).

Overdue Lead-Based Paint Hazard Violations

To remove an overdue lead-based paint hazard violation, HPD must inspect and find that the work was properly completed AND owners must submit affidavits and paperwork to confirm that the work was done properly.

You should visit [HPD Online](#) (Overdue Violations tab) to determine if HPD has already inspected the condition.

- If the violation has already been observed corrected by HPD and the violation is marked as Inspection Completed, you may submit the properly completed original AF-5/AF-3 and provide the documentation listed on that form directly to the Lead-Based Paint Inspection Unit at **94 Old Broadway, 7th Floor, New York, NY 10027**.
- If the violation has **not** already been observed corrected by HPD and the violation is marked as INSPECTION REQUIRED, a properly completed [Dismissal Request](#) form with the appropriate fee must be submitted to HPD.

The affidavits that must be submitted to HPD are either the: [AF-5 \(work completed after august 1, 2004\)](#) or [AF-3 \(violations corrected prior to august 1, 2004\)](#)

With both affidavits, you must read the instructions carefully and attach all of the required additional affidavits, certifications and evidence of appropriate remediation in order for your documentation to be acceptable.

More information specifically related to the lead-based paint hazard violation

dismissal process can be directed to [Clear Violations - HPD](#).

Need more time to complete work? Request a Postponement with HPD

HPD allows property owners to request for a [postponement](#) of time to correct lead-based paint hazard violations before the violation is due to be corrected. You can postpone the time to correct the violation by submitting a request to HPD's Lead-Based Paint Inspection Unit if you are having trouble hiring a contractor, unable to secure necessary materials or having difficulty gaining access to the unit. If a postponement is granted the owner will have an additional 14 days to complete the work. Detailed instructions on how to submit for a postponement are included with your Notice of Violation.

Contesting Violation Order Numbers

Property owners have the option to contest order violations [616](#) presumed lead-based paint hazards and [624](#) inconclusive lead-based paint hazards showing that the paint does not contain lead as defined by Local Law 1 of 2004.

The owner can contest order 616 by submitting a XRF report showing the components listed on the violation do not contain lead-based paint and other supporting documents listed on the application or contest order 624 paint tested inconclusive and presumed lead-based paint by submitting a paint chip report showing the components listed on the violation do not contain lead-based paint along with supporting documents listed on the form.

For more detailed guidance visit [Lead-Based Paint - HPD](#) and review the section titled "Lead-Based Paint Hazard Violations".

Free Grant Assistance on Eligible Lead-Based Paint Hazard Repairs

Rental Property Owners - Did you recently XRF test your building and find that there is lead-based paint? Or do you believe there is lead-based paint, based on the age of the building or a history of receiving lead-based paint violations?

HPD's Lead Hazard Reduction & Healthy Homes Program provides FREE GRANT ASSISTANCE to eligible property owners to repair lead-based paint hazards!

HPD's Lead Hazard Reduction and Healthy Homes Program assists owners of eligible buildings to proactively identify lead paint hazards through comprehensive XRF testing and perform the needed remediation work to make the housing units safer for current and future occupants. See the Program page on the HPD website: [Lead Hazard Reduction and Healthy Homes Program - HPD \(nyc.gov\)](#)

The primary purpose of the program is to assist owners in reducing lead-based

paint hazards in order to prevent lead poisoning of occupants – especially children. Peeling or cracking lead paint is the most common cause of lead poisoning in young children, who can ingest lead paint dust and chips found in paint on windowsills, floors, and toys. Lead exposure can lead to learning and behavioral problems in children.

The program provides grant funding, generally averaging \$20K per apartment (although grant size varies depending on need). The typical scope of work includes removal and replacement (i.e. abatement) of lead-positive painted components like door units, baseboards, crown molding, window frame molding, windowsills, etc., combined with wet-scraping and repainting walls and ceilings to make the painted surface intact.

Lead inspections, including comprehensive XRF testing, are performed by HPD lead inspectors serving the program. Participation in the program can help owners comply with the “XRF testing law” (Local Law 31 of 2020), if they have not already had their rental units XRF tested. XRF testing from the HPD Program (performed by licensed HPD Lead Inspectors) can be used to demonstrate compliance with the law.

Once a property is deemed eligible and enrolled in the program, the goal is to test and perform repairs building-wide – in all apartment units and common areas. The work is performed by qualified lead abatement contractors, hired directly by HPD.

The Eligibility / Best Fit criteria for the program are:

- Most tenants in the building are low- and very low-income (buildings with many tenants on Sec 8 or other rental subsidies are especially good candidates). “Low-income” means below 80% Area Median Income/AMI; “Very low-income” means below 50% AMI. You can view the household annual income limits here: [Area Median Income - HPD](#). Owner-occupants must be below 80% AMI.
- Several units have a child under age 6 (i.e 5 yrs old and younger) either residing or routinely spending more than ten hours per week. **The higher percentage of units with a child under age 6, the better** (since young children are the most vulnerable to lead poisoning). Owner-occupied units must have a child under age six.
- There are no significant property taxes, water/sewer or other municipal arrears owed; or owner is current in an approved payment agreement or can enter into a payment agreement

At this moment the Program is especially interested in receiving applications for owner-occupied small homes (1-4 units) or small multifamily rental buildings (3-10 units).

Childhood Lead Exposure: Tremendous Progress but Children Are Still Being Impacted

Recent data released by the NYC Health Department highlighted continued progress in reducing childhood lead exposure. New York City has been working to eliminate childhood lead exposure for decades. And we'll continue to work toward eliminating the problem entirely.

Lead exposure in childhood can lead to serious, long-term consequences, including learning difficulties and behavioral problems. Young children are especially at risk because they explore their environment by placing non-food items in their mouths, potentially exposing themselves to lead in dust and paint. Most children do not exhibit symptoms of lead exposure. To address those harms, New York State requires all children to have their blood tested for lead at age one, and again at age 2. Some children who are at higher risk for lead exposure are required to have their blood tested yearly up to the age of 6.

This requirement resulted in over 230,000 children under 6 years of age being tested in 2023. Over 5,000 of these children had levels of lead in their blood that was higher than the threshold set by NYC Health Department. When the NYC Health Department receives these high testing results from laboratories, they initiate an investigation that tries to identify the source(s) of lead in the child's environment

In 2023, lead-based paint hazards remained the most commonly identified exposure source for New York City children. While many NYC building owners have taken steps to make their buildings free of lead hazards, lead-based paint is still present throughout older NYC housing. Building owners must remain vigilant and continue their efforts to address lead-based paint hazards and permanently remove building components that have lead-based paint when possible. Building owners can take credit for much of the success we've seen to date and continued progress will only be realized if all stakeholders do their part to prevent exposure.