

Lead Paint Hazards in the Home

What tenants should know and building owners must do to keep homes safe





Lead is a poison often found in old paint. Lead poisoning can cause learning and behavioral problems in children. Buildings built before 1960 may have lead paint on the walls, windows, windowsills, doors or other surfaces.

If paint peels or repairs are done unsafely, lead paint and dust can spread around your home. When children put their hands or toys in their mouths, they can swallow lead dust.

Owners of some older rental buildings must fix lead paint hazards in apartments where children age 5 or younger live or spend at least 10 hours per week.

Lead paint hazards include lead paint that is peeling or damaged or on surfaces such as crumbling plaster, rotted wood, and doors and windows that touch, stick or rub together.

Building owners must:

- Send an annual notice asking tenants if a child age 5 or younger lives or spends at least 10 hours per week in their apartment.

- Inspect apartments with younger children for lead paint hazards, and give inspection results to the tenants.
- Fix lead paint hazards in all rental units using safe work practices. There should be no lead paint on windows and doors that touch, stick or rub together before a new tenant moves in.
- Provide temporary housing if lead paint hazards cannot safely be fixed with the tenant living in the apartment.
- Notify the New York City (NYC) Department of Health and Mental Hygiene when more than 100 square feet of lead paint will be disturbed in a room, or two or more painted windows will be replaced.
- Keep records related to lead paint inspections, notices and repairs for at least 10 years.

Tenants must:

- Fill out and return the annual notice by February 15.
- Notify their building owner in writing if they have a baby or if a child age 5 or younger comes to live or spend at least 10 hours per week in their home.

Safe Work Practices:



Use U.S. EPA-certified workers when fixing lead paint hazards and making repairs that disturb lead paint.



Post warning signs outside the work area.



Move or cover all furniture. Seal off floors, doors and other openings with plastic and waterproof tape.



Clean the work area daily with wet mops or a HEPA vacuum. For final cleaning after work is done, clean with a HEPA vacuum, then wet mops, then a HEPA vacuum again.



Have an independent EPA-certified contractor take clearance dust wipes after work is done to make sure lead dust levels are safe.

Never dry-scrape or dry-sand lead paint.

5-Year Testing Requirement (Local Law 31 of 2020)

Building owners must test all apartments for lead paint by August 2025 or within one year of a child age 5 or younger coming to live or spend at least 10 hours per week in an apartment.

Lead Paint Violations

- The NYC Department of Housing Preservation and Development (HPD) will inspect apartments with younger children in older buildings if a tenant makes a complaint to **311**.
- If HPD finds a lead paint hazard, the building owner will receive a violation and be required to fix the hazard by a certain time.
- Building owners must use safe work practices to fix lead paint hazard violations or remove lead paint. For more information, visit **nyc.gov/hpd** and search for **lead-based paint**.
- HPD will reinspect all violations as well as fix any lead paint hazards that a building owner does not. Tenants should allow HPD to enter their apartment to make any needed repairs.
- HPD may audit building records and inspect full buildings for lead paint hazards and for failure to conduct work during vacancy.



Help Prevent Lead Poisoning

- Call **311** to:
 - Learn how to get a lead test.
 - Report if your building owner does not fix peeling paint or is making unsafe repairs.
 - Order a free lead test kit for drinking water.
 - Order copies of this brochure or other materials about lead.
- Wash floors, windowsills, hands, toys and pacifiers often.
- Talk to your health care provider about testing your child for lead. For help finding a provider, call **311** or 844-692-4692.

Building owners with rental units must give a printed or digital copy of this brochure to tenants when they sign a lease or move into an apartment if the building was built before 1960 (or between 1960 and 1978 if it has lead paint). This brochure contains basic information about lead paint, not legal advice.

For more information about:

- Lead poisoning prevention, visit nyc.gov/lead
- Lead poisoning for building owners, visit nyc.gov/health and search for **lead and building owners**
- Laws and applicable rules, webinars, and owner guidance, visit nyc.gov/hpd and search for **lead poisoning**