

EPA LEAD-BASED PAINT DISCLOSURE REQUIREMENTS

EPA Information on Lead-Based Paint disclosures for Sellers on Houses Built Prior to 1978

Source: <https://www.epa.gov/lead/real-estate-disclosures-about-potential-lead-hazards>

Homebuyers

Federal law requires that before being obligated under a contract to buy housing built prior to 1978, buyers must receive the following from the homeseller:

- An EPA-approved information pamphlet on identifying and controlling lead-based paint hazards titled [Protect Your Family From Lead In Your Home \(PDF\)](#).
 - GAR CB04 – Lead-Based Paint Pamphlet
 - RE 141 – Protect Your Family from Lead in the Home
- Any known information concerning the presence of lead-based paint or lead-based paint hazards in the home or building.
 - For multi-unit buildings, this requirement includes records and reports concerning common areas and other units when such information was obtained as a result of a building-wide evaluation.
- An attachment to the contract, or language inserted in the contract, that includes a "Lead Warning Statement" and confirms that the seller has complied with all notification requirements.
 - [Sample Seller's Disclosure of Information \(PDF\)](#) – from EPA
 - GAR 316 – Lead-Based Paint Exhibit
 - RE 140 – Disclosure of Information on Lead-Based Paint
 - In 2020, EPA fine for missing initials is \$16,000 per missing initial
- A 10-day period to conduct a paint inspection or risk assessment for lead-based paint or lead-based paint hazards. Parties may mutually agree, in writing, to lengthen or shorten the time period for inspection. Homebuyers may waive this inspection opportunity. If you have a concern about possible lead-based paint, then get a [lead inspection from a certified inspector](#) before buying.
 - See this section in Lead-Based Paint Exhibits



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Renters

Federal law requires that before signing a lease for housing built before 1978, renters must receive the following from your landlord:

- An EPA-approved information pamphlet on identifying and controlling lead-based paint hazards, [Protect Your Family From Lead In Your Home \(PDF\)](#).
- Any known information concerning the presence of lead-based paint or lead-based paint hazards in the home or building.
 - For multi-unit buildings, this requirement includes records and reports concerning common areas and other units when such information was obtained as a result of a building-wide evaluation.
- An attachment to the contract, or language inserted in the contract, that includes a "Lead Warning Statement" and confirms that the landlord has complied with all notification requirements.

If you have a concern, then ask your landlord to get a [lead hazard inspection](#) from a certified inspector before signing your lease.

Real Estate Agents and Home Sellers

As real estate agents and home sellers, you play an important role in protecting the health of families purchasing and moving into your home. Buildings built before 1978 are much more likely to have lead-based paint. Federal law requires you to provide certain important information about lead paint before a prospective buyer is obligated under a contract to purchase your home.

Real estate agents must:

- Inform the seller of his or her obligations under the Real Estate Notification and Disclosure Rule. In addition, the agent is responsible if the seller or lessor fails to comply; unless the failure involves specific lead-based paint or lead-based paint hazard information that the seller or lessor did not disclose to the agent. [Read the regulations that includes these requirements.](#)



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- Provide, as part of the contract process, an EPA-approved information pamphlet on identifying and controlling lead-based paint hazards titled [Protect Your Family From Lead In Your Home \(PDF\)](#). Attach to contract, or insert language in the contract, a "Lead Warning Statement" and confirmation that you have complied with all notification requirements.
- [Sample Seller's Disclosure of Information English \(PDF\)](#) and in [Spanish \(PDF\)](#)
- Provide a 10-day period to conduct a paint inspection or risk assessment for lead-based paint or lead-based paint hazards. Parties may mutually agree, in writing, to lengthen or shorten the time period for inspection. Homebuyers may waive this inspection opportunity.

