



# Lead Poisoning Prevention Program

“STANDARD OF CARE”

WHAT OWNERS NEED TO DO TO COMPLY WITH  
MARYLAND’S “REDUCTION OF LEAD RISK IN HOUSING” LAW

By fully complying with this standard of care, owners comply with Maryland law and qualify for limited liability for lawsuits arising from lead poisoning. Resources for forms, materials, and contacts are on the back of this summary. More detail about each requirement is available on the MDE website at <http://mde.state.md.us/health/lead/index.html>

1. **REGISTER** the property and submit an annual renewal fee.
2. **DISTRIBUTE TENANT EDUCATIONAL INFORMATION:** Provide the Maryland “Notice of Tenants Rights”, the EPA lead brochure “Protect Your Family From Lead in Your Home” and a copy of the current inspection certificate upon execution of lease to new tenants. Redistribute the educational materials every 2 years thereafter. Be sure to obtain a receipt signed by the tenant verifying that you distributed the materials and keep this for your files.
3. **PERFORM RISK REDUCTION TREATMENTS AND OBTAIN INSPECTIONS:** Failure to perform any of the required risk reduction treatments may result in fines and loss of limited liability protection.
  - A. **MEET STANDARDS AT EACH CHANGE OF OCCUPANCY IN A UNIT.** Perform “full risk reduction treatment” at each change in occupancy and have it verified through a “visual inspection” by an accredited lead inspector or pass a “lead dust test” by an accredited lead inspector. For a complete list of property treatments in the full risk reduction standard, see Environment Article, Section 6-815.
  - B. **MEET TREATMENT DEADLINES FOR ALL PROPERTIES.** Section 6-817 of the Environment Article establishes additional deadlines to bring rental units into compliance with the full risk reduction standard. By February 24, 2001, an owner of affected properties was required to bring and maintain at least 50% of the owner’s affected properties into compliance with the full risk reduction standard regardless of whether the properties have undergone a change in occupancy. A full risk reduction certificate is still required at each change in occupancy regardless of compliance with the 50% rule. **On and after February 24, 2006, an owner of affected properties shall ensure that 100% of the owner’s affected properties in which a pregnant woman or child under the age of 6 resides, and of whom the owner has been notified in writing, have satisfied the full risk reduction standard. On or after February 24, 2006, owners of affected properties must ensure that 100% of owner’s affected properties have satisfied the modified risk reduction standard.**
  - C. **PERFORM MODIFIED RISK REDUCTION TREATMENTS ON NOTICE.** Perform modified risk reduction treatments within 30 days of being notified in writing of either paint defects in a unit or that a child under 6 years of age or pregnant woman has a blood lead elevation of 10 mcg/dL or more. The tenant and or and accredited lead supervisor or an inspector must sign off that the work has been completed. Notice to parents and property owners when a child has an elevated blood lead level can come from the local health department, parents, or other sources.
  - D. **USE TRAINED WORKERS, ACCREDITED SUPERVISORS, OR CONTRACTORS** for work performed to meet risk reduction standards.
4. **OBTAIN A VERIFICATION INSPECTION BY AN INSPECTOR ACCREDITED** by the Maryland Department of the Environment (MDE). The Lead Inspection Certificate (Form MDE 330) verifies that a Risk Reduction Standard is satisfied. The accredited inspector submits a copy to MDE, and two copies to the owner. Owners should keep one copy for their records and give one copy to the tenant.
5. **MAKE A “QUALIFIED OFFER”** and relocate a child and family to certified lead-safe housing within 30 days of being notified that a child or pregnant woman has a blood lead level of 15 mcg/dL or more. This caps an owner’s liability at \$17,000 if the owner was previously in compliance with the applicable lead laws. Payments are made as reimbursement to service providers or to the child’s family for relocation expenses or uncovered medical expenses, not as a lump sum distribution. Assistance to understand the Qualified Offer process is available from the Coalition to End Childhood Lead Poisoning pursuant to a contract with MDE. This assistance is offered to both tenants and property owners.

# MARYLAND REDUCTION OF LEAD RISK IN HOUSING WHERE TO OBTAIN MORE INFORMATION

## MDE LEAD POISONING PREVENTION CONTACTS:

### **Registration, Renewal, and Inspection status:**

Lead Rental Property Registry 410-537-4199 or 1-800-776-2706 (only in Maryland) or [leadreg@mde.state.md.us](mailto:leadreg@mde.state.md.us)

### **Tenants' Rights Notice:**

Lead Rental Property Registry 410-537-4199 or 1-800-776-2706 (only in Maryland) or [leadreg@mde.state.md.us](mailto:leadreg@mde.state.md.us)

### **Risk Reduction Treatments**

Lead Enforcement Division 410-537-3825 or 1-800-633-6101 (only in Maryland)

### **Certified Inspectors and Contractors, inspection requirements:**

Lead Accreditation Division 410-537-3825 or 1-800-633-6101 (only in Maryland) or [leadreg@mde.state.md.us](mailto:leadreg@mde.state.md.us)

### **MDE Internet Homepage:**

<http://www.mde.state.md.us/lead> includes lists of accredited inspectors and contractors, registration form, tenants' rights notice, summaries of the lead law, risk reduction standards and general information about lead health effects.

## OTHER RESOURCES

### **Financial Assistance for Lead Hazard Reduction:**

**Baltimore City:** Lead Abatement Action Project 410-396-7225 <http://www.baltimorecity.gov>

**Statewide:** MD Dept of Housing & Community Development 410-514-7565 or 1-800-638-7781  
<http://www.dhcd.state.md.us>

### **Insurance:**

Maryland Insurance Administration 410-468-2000 or 1-800-492-6116 <http://www.mdinsurance.state.md.us>

### **Qualified Offer Assistance:**

Coalition to End Childhood Lead Poisoning 410-534-6447 or 1-800-370-5323 <http://www.leadSAFE.org>  
[ceclp@leadSAFE.org](mailto:ceclp@leadSAFE.org)

### **Worker Safety and Health:**

MD Occupational Safety and Health (MOSH) 410-767-7233 <http://www.dllr.state.md.us>

### **EPA Disclosure Pamphlet and Federal Lead Requirements:**

EPA Federal Lead Hotline 1-800-424-5323 <http://www.epa.gov/lead>

### **Blood lead testing, at Risk Areas, and Health Care Resources:**

Department of Health and Mental Hygiene 410-767-6713 <http://www.mdpublichealth.org/och>

### **Copies of the Regulations for Work Practices, Accreditation and Training, and Qualified Offer:**

Division of State Documents, P.O. Box 2249 Annapolis MD 21404. 410-974-2486 or 1-800-633-9657. Or send a check for \$12 with a note requesting a consolidated version of the lead regulations (COMAR 26.16.01 through .04) and a return address. Or go to Website: <http://www.dsd.state.md.us/comar/comarOrderForm.html#Lead>

### **ENVIRONMENT ARTICLE TITLE 6 SUBTITLE 8- "REDUCTION OF LEAD RISK IN HOUSING"**

Maryland Legislative Information Service website [http://www.mlis.state.md.us/cgi-win/web\\_statutes.exe](http://www.mlis.state.md.us/cgi-win/web_statutes.exe) then select "Environment, general" as the article, and start with "Section 6-801". Keep hitting "next" to get all sections of the law. On the Reference shelf of local public libraries in Maryland: Annotated Code of Maryland, Environment Article 6-801 through 6-852; Insurance Article 19-701 through 19-706; Article 83B 2-1401 through 2-1411.

