

Information for Tenants on Regulations for Lead-Safe Maintenance

The Department of Community Affairs requires that multi-family housing be maintained in a lead-safe manner. The regulations for the maintenance of multiple dwellings (N.J.A.C. 5:10) are designed to better protect you and your family from possible lead-based paint hazards in your home. If you would like to view the regulations, please go to <https://www.nj.gov/dca/divisions/codes> and select "Publications" from the left hand menu and under Housing Code Enforcement select NJAC 5:10 - Maintenance of Hotels & Multiple Dwellings.

Lead-based paint was banned from residential use in New Jersey in 1971; however, it was not banned nationally until 1978, so any pre-1978 housing *may* contain lead-based paint. This pamphlet provides you with basic information on your landlord's responsibilities to prevent lead hazards in your home.

When is Lead-Based Paint a Hazard?

Intact lead-based paint is not a hazard in and of itself. However, if the paint is chipping or peeling or becoming ground into dust, it is a potential hazard, especially to children under the age of six and pregnant women because lead can do the most damage to children in key developmental stages. If you notice excessive chipping or peeling paint in your home, report it to your landlord immediately. Your landlord is required to respond to your concern within thirty days. If you have a child under the age of six in your home or if a pregnant woman lives there, the landlord must correct the problem within one week.

Will All Rental Properties be Subject to The Regulations?

Many properties will qualify for exemption. The regulations will NOT apply to:

1. Buildings, dwelling units, or common areas that have been certified to be Lead-Free in accordance with N.J.A.C. 5:17; or
2. A building or dwelling unit that has been certified as having a Lead-Free Interior in accordance with N.J.A.C. 5:17. Lead-Free Interior does not exempt the entire building; only the dwelling units or common areas identified on the certificate as lead free are exempt.
3. A seasonal rental unit that is rented for less than six months' duration each year; or
4. An owner-occupied unit.

For information on any certification issued for your building, ask your landlord.

How Should My Landlord Protect Me?

Maintenance activities have the potential to generate lead dust if not done properly. Lead-safe work practices must be used. Lead-safe work practices are precautions taken to minimize the creation of dust and to prevent the spread of it when performing work that disturbs a painted surface. This includes preparing the work area to prevent the spread of lead dust to tenants. After the work is completed, the area should be cleaned thoroughly so that no lead hazards are left behind.

What if the Work Takes More Than One Day to Complete?

In some cases, a job will not be finished in one day. If this happens, the work area should be cleaned or blocked off at the end of each work day. Do NOT enter a work area that has been left unfinished. If the work area cannot be blocked off or if sufficient protection from the spread of lead dust cannot be established, relocation should occur before the work begins.

What Precautions Can I Take to Prevent Lead Poisoning?

You can protect yourself and your family simply by keeping your home clean and free of lead dust. Be sure to thoroughly clean any area where dust has collected and to wipe up any dust tracked in from outside. By performing basic housekeeping, you can help prevent the spread of lead dust in your home. Also, report deteriorated paint to your landlord so that any problems are corrected promptly.

If your landlord fails to respond to your requests to correct deteriorated paint, please review the "paint requirements" of the Habitability Bulletin at (indirect link) https://www.nj.gov/dca/divisions/codes/offices/landlord_tenant_information.html or (direct link) https://www.nj.gov/dca/divisions/codes/publications/pdf_lti/habitability.pdf.