



This report compliments of John Leiby, Principal Broker (971-409-2803)  
Red Door Realty Group is affiliated with FRED Real Estate Group in Oregon and Bison Properties in Washington

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## Frequently Asked Questions About LEAD PAINT

### **What are the disclosure requirements concerning lead-based paint?**

Under a federal law that took effect two years ago, virtually anyone who is trying to sell a home built before 1978 must tell potential buyers everything they know about the existence of lead-based paint in the house. The buyer must also be given a booklet, approved by the Environmental Protection Agency, that discusses lead dangers and the precautions homeowners, buyers and renters should take. Importantly, the rules also require that a prospective homebuyer be given 10 days to have an inspector search for lead-based paint in the house before the sale closes.

### **Why is the government so worried about lead-based paint?**

Sellers are exempt from the lead-paint disclosure requirements if the home or apartment building was built in or after 1978, the year the federal government banned the use of lead-based paint. Owners of studios, lofts and other “zero-bedroom” units are also generally exempt. Certain types of housing for elderly or disabled persons are exempt too, but only if children don’t live there. Since most houses and apartments are at least 20 years old, the vast majority of sellers and landlords are covered by the law.

### **I don’t know whether my home has any lead-based paint. Can I just tell the buyer that I don’t know anything, and then forget about it?**

If you don’t know whether the paint was ever used in your home, you must disclose this fact to the buyer. But your responsibility doesn’t end there: The buyer must still receive the EPA booklet and must still be offered a 10-day “window” to have the property inspected.

### **How can I tell if there is a lead-paint problem in my house?**

The best way is to have the property inspected by a qualified professional. Beware, because there are some fly-by-night firms that claim to be experts on lead paint even though they know less than you do. Contact your state’s health department to see if it operates a referral program. The Housing and Urban Department also offers a referral program to find qualified inspectors.

### **Where is lead paint likely to be the biggest hazard?**

Lead-based paint that is in good condition is usually not a problem. But paint that is peeling, chipping, cracking or chalking is dangerous and needs immediate attention. The parts of a house that have the most contact with hands, feet or nature’s elements are the places where problems are most likely to develop. These areas include windows and window sills, doors and door frames, porches, fences, stairs,

For more information, please contact – John Leiby at [971-409-2803](tel:971-409-2803) or via email at [RedDoorPDX@Gmail.com](mailto:RedDoorPDX@Gmail.com)



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REALTY GROUP  
SELLING HOMES ONE YARD AT A TIME

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railings, and banisters. Another problem, lead dust, is often created when old paint is scraped or sanded. Breathing the dust can be extremely dangerous, even though it's hard to see with the naked eyes.

**If I give my home a new paint job, will any lead paint problems I have go away?**

Simply repainting with nontoxic paint won't automatically solve problems caused by lead paint that was used before. If the new paint eventually peels or cracks, the old paint will become exposed again. Repainting also usually involves some scraping or sanding, which can create lead dust.

**I am selling my home. What happens if I give the buyer a 10-day period to have my house inspected for lead-based paint, but the buyer decides not to order an inspection?**

The federal law doesn't mandate how buyers and sellers must resolve lead-related problems. However, many real estate agents are using pre-printed contracts that address different "what if" scenarios. One typical contingency permits the buyer or renter to cancel the deal if an inspection uncovers unacceptable amounts of lead-based paint. Another contingency gives the seller or landlord a chance to remove the paint and complete the transaction if the buyer or tenant agrees the removal efforts were successful.

**I'm trying to sell my home without using an agent. How can I get the EPA's booklet so I can give it to prospective buyers?**

You can call the NLIC's ( National Lead Information Center) toll free number (800) 424-LEAD (5323) to order a free copy of the booklet, call "Protect Your Family from Lead Paint in Your Home," plus the government-approved lead-paint warning and disclosure statement. Or you can download it all from HUD's online reference library at [www.hud.gov](http://www.hud.gov).