

Memorandum

Date: September 9, 2015

NAHTF Policy Guidance

Policy: TF 15-01

Nebraska Department of Economic Development, 301 Centennial Mall South, Lincoln, NE 68509

<http://www.neded.org/>

Effective: Upon Issuance

Subject: Lead Based Paint Standards

Reference: Nebraska Department of Economic Development Minimum Standards for Rehabilitation. <http://www.neded.org/community/grants/housing/trust-fund> page 9 item 13.

Purpose: To reiterate the Department's policy on the requirements concerning lead-based paint for the NAHTF projects.

Background: While the rules governing lead based paint evaluation, reduction or elimination, and clearance as stated in the Minimum Standards for Rehabilitation (below) speak to "Federally Owned Housing and Housing Receiving Federal Assistance" the Department is imposing the same conditions on projects funded with Affordable Housing Trust Funds.

Currently:

LEAD-BASED PAINT – As required under 24 CFR Part 35, the Final HUD Regulation on Lead-Based Paint Hazards in Federally Owned Housing and Housing Receiving Federal Assistance, all assisted dwelling units constructed before January 1, 1978, will be evaluated for lead-based paint hazards or presumed to have lead-based paint present throughout the unit when paint is disturbed.

a. Evaluation will be done by a qualified, certified or licensed person as required under the regulation.

b. All lead-based paint hazards will be identified and reduced or eliminated through paint stabilization, interim controls or abatement with work being done by supervised, trained, qualified, certified or licensed persons as required under the regulation.

c. Safe work practices will be followed at all times.

d. Occupants shall be protected or temporarily relocated as required by the regulation. With some exceptions, as listed at 24 CFR 35.1345, occupants shall be temporarily relocated before and during hazard reduction activities to a suitable, decent, safe and similarly accessible dwelling unit that does not have lead hazards.

e. The dwelling unit and worksite shall be secured. The worksite shall be prepared and warning signs shall be posted as required by the regulation.

f. Clearance examinations will be performed by qualified personnel and final clearance shall be achieved as required by the regulations.

This is a restatement of current policy and is not a change.