

The Philadelphia Lead Disclosure & Certification Law: What Landlords Need to Know

www.phila.gov/health/leadlaw

As of December 21, 2012, the *Philadelphia Lead Disclosure & Certification Law* requires that landlords ensure that rental property in Philadelphia is certified as Lead Safe or Lead Free when the following three conditions are met:

- The property was built before 1978, and
- There is a change of occupancy, and
- Any new occupant is aged 6 years or less

Where these three conditions are met, the landlord must provide the tenant with a current certificate indicating that the property has passed a visual inspection for deteriorated paint and has been cleared by lead dust wipe samples or is free of any lead paint, before a lease is signed. Only a PA Licensed Inspector or Risk Assessor or EPA Certified Lead Dust Sampling Technician can provide a certification.

A copy of the Certificate, signed by the tenant, and the dust wipe test results, must be sent to the Philadelphia Department of Public Health.

When signing an application for a new or renewed rental license, property owners are now required to indicate they are in compliance with this law.

For more information, copies of the law, guidance for landlords, sample certificates, and more, go to: www.phila.gov/health/leadlaw

*The staff at the Philadelphia Department of Public Health, Childhood Lead Poisoning Prevention Program, is available to answer questions about the law.
They can be reached at 215-685-2788*

PLEASE NOTE:

The Philadelphia Department of Public Health cannot provide lead inspections, dust wipe tests or certificates.

For a list of certified inspectors and and more information go to:
www.phila.gov/health/leadlaw

Landlords Must Follow the EPA Renovation, Repair and Painting (RRP) Rule

The Environmental Protection Agency's Renovation, Repair and Painting Rule (the RRP Rule), has been in effect since June 23, 2008, to protect against hazardous lead dust. The RRP applies to renovation, repair or painting work in a property that:

- Was built before 1978
- Is visited or occupied by children under 6 years of age
- And will disturb more than six (6) square feet of painted surface on walls or woodwork (interior) or 20 square feet (exterior)

If the landlord does his/her own work on rental property subject to the RRP rule and/or uses his/her own employees to do so, the landlord must become an EPA Certified RRP firm and only use trained and certified workers to do the work.

If the landlord hires a contractor to do the work, the landlord does not need to be certified, but the contractor doing the work does.

For more information, please see the EPA website at: <http://epa.gov/lead/rrp>

It is Against the Law to Refuse to Rent to Families with Children

It is against Federal, Pennsylvania and Philadelphia law to refuse to rent to families with children under 18 (except for designated senior housing). A landlord cannot:

- refuse to rent housing tenants with children, or
- make housing unavailable, or
- falsely deny housing is available for rent to tenants with children, or
- set restrictions on which children can share a bedroom

Familial status discrimination is the most common and most commonly misunderstood form of housing discrimination. Many housing providers believe it is perfectly legal to say, "We won't accept children" — but it's not; it's a violation of the fair housing laws. These laws are rigorously enforced.

Philadelphia's new lead disclosure and certification law does not change these requirements.

For more information, contact the Philadelphia Fair Housing Commission at 215-686-4670 or go to <http://www.phila.gov/fairhousingcommission>