



DEPARTMENT OF THE ARMY
ASSISTANT CHIEF OF STAFF FOR INSTALLATION MANAGEMENT
800 ARMY PENTAGON
WASHINGTON DC 20310-0600



REPLY TO
ATTENTION OF

DAIM-FDH-F (210-50a)

24 JUL 1996

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Disclosure Requirements for Lead-Based Paint Hazards in Army Family Housing

1. The Environmental Protection Agency (EPA) and the Department of Housing and Urban Development (HUD) have jointly issued regulations requiring disclosure of known lead-based paint and/or lead-based paint hazards. These regulations, contained in 24 CFR Part 35 and 40 CFR Part 745, were issued under authority of Section 1018 of Title X, the Residential Lead-Based Paint Hazard Reduction Act of 1992. These disclosure requirements apply to Army controlled Family housing constructed prior to 1978.
2. The disclosure requirements applicable to Army Family Housing, to be issued when quarters are assigned, are to provide residents with the following:
 - a. A copy of the EPA pamphlet entitled "Protect Your Family from Lead in Your Home." A camera ready copy of this pamphlet is available (English and Spanish) from the National Lead Information Clearinghouse (800)424-LEAD. FAX a request to Ana Rita at (202) 659-1192.
 - b. A notice of the presence of known lead-based paint and/or lead-based paint hazards. A recommended disclosure format with the required statements, disclosure and acknowledgments, is contained at enclosure.
 - c. A copy of available records or reports pertaining to the presence of lead-based paint and/or lead-based paint hazards known or suspected in the assigned dwelling unit and associated common areas, based upon actual or statistical sampling of similar units.
3. These disclosure requirements are effective 6 September 1996, and apply to Family Housing constructed before 1978 in the United States and its territories. State and local laws may also apply. Disclosure requirements for assignment of Army Family Housing in foreign areas will be as directed by MACOM policy in accordance with Final Governing Standards.
4. Pre-1978 housing, free of lead-based paint as determined by a certified inspector, is exempt from the disclosure requirements.

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Lead-based paint free housing means family housing that has been found to be free of paint or other surface coatings that contain lead equal to or in excess of 1.0 milligram per square centimeter or 0.5 percent by weight.

5. Points of contact: For questions concerning Housing Office responsibilities for the disclosure requirements contact Tim Ketchum, DAIM-FDH-F, COM (703) 428-7505, DSN 328-7505. For technical questions on lead-based paint inspections, and abatement, contact Bryan Nix DAIM-FDF-B, COM (703) 428-6176, DSN 328-6176.

Encl

FRANK L. MILLER, JR.
Major General, GS
Assistant Chief of Staff
for Installation Management

DISTRIBUTION:
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MILITARY TRAFFIC MANAGEMENT COMMAND, ATTN: MTPAL-FE
SUPERINTENDENT, US MILITARY ACADEMY, ATTN: MAEN

Sample Disclosure Format for Target Housing Rentals and Leases
Disclosure of Information on Lead-Based Paint and Lead-Based Paint Hazards;

Lead Warning Statement

Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not taken care of properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, landlords must disclose the presence of known lead-based paint and lead-based paint hazards in the dwelling. Tenants must also receive a Federally approved pamphlet on lead poisoning prevention.

Lessor's Disclosure (initial)

_____ (a) Presence of lead-based paint or lead-based paint hazards (check one below):

Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

Lessor has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

_____ (b) Records and reports available to the lessor (check one below):

Lessor has provided the lessee with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

Lessor has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Lessee's Acknowledgment (initial)

_____ (c) Lessee has received copies of all information listed above.

_____ (d) Lessee has received the pamphlet *Protect Your Family from Lead in Your Home*.

Agent's Acknowledgment (initial)

_____ (e) Agent has informed the lessor of the lessor's obligations under 42 U.S.C. 4582(d) and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information provided by the signatory is true and accurate.

_____ Lessor	_____ Date	_____ Lessor	_____ Date
_____ Lessee	_____ Date	_____ Lessee	_____ Date
_____ Agent	_____ Date	_____ Agent	_____ Date