

HOUSING PROVIDERS' RIGHTS AND RESPONSIBILITIES CHECK LIST:

- **NOTICE – See §90-58D**

- I gave the tenant written notice at least three (3) days prior to any lead hazard reduction work.
- The notice I gave my tenant was either a:
 - SIGN, LETTER, OR MEMORANDUM.
- The notice:
 - described the work to be done;
 - was in English and Spanish;
 - was in compliance with the EPA pre-renovation notification rules set forth in 40 CFR Part 745, E, Subpart E;
 - stated *“Work is scheduled to be performed beginning _____ (date) on this property that may disturb or remove lead-based paint. The persons performing this work are required to follow federal and local laws regulating work with lead-based paint. You may obtain information regarding these laws, or report any suspected violations of these laws, by calling the City of Rochester at 428-LEAD.”*

- **PAMPHLET – See §90-58D(2)**

- I gave the tenant a copy of EPA's Lead Hazard Information Pamphlet.

- **SIGNAGE – See 90-58C & 90-59B(2)**

- I posted signs while exterior lead paint hazard reduction work was being conducted.
 - The signs:
 - were posted no later than when the work started;
 - were posted in locations clearly visible to adjacent properties;
 - stated:
*LEAD-BASED PAINT HAZARD REDUCTION WORK IN
PROGRESS PUBLIC ACCESS TO WORK AREA
PROHIBITED POSTED IN ACCORDANCE WITH
CHAPTER 90 OF THE CITY OF ROCHESTER CODE
FOR FURTHER INFORMATION, PHONE _____*
 - were at least 24 inches square and used large boldface capital letters that were no less than one-half inch in size;
 - in both English and Spanish;

- were posted until the work was completed.
- I posted a warning sign at each entry to a room where hazard reduction activities were conducted when my tenants were present and/or at each main and secondary entryway to a building from which my tenants have been relocated.
 - The signs stated: WARNING
LEAD WORK AREA
POISON
NO SMOKING OR EATING

*******LEAD REDUCTION WORK WITH LESS THAN THREE (3) DAYS NOTICE – See §90-58F&G**

- Lead hazard reduction work was completed with less than three (3) days notice because the repair was a result of an *emergency condition*.
- Lead hazard reduction work was completed with less than three (3) days notice because my tenants waived the three (3) day notice requirement.

• OCCUPANTS' PROTECTIONS

--ENTRY INTO WORK AREAS – See §90-59A(1)

- My tenants were not permitted to enter the worksite during hazard reduction activities.
- My tenants were permitted to enter the worksite during hazard reduction activities because they were employed to perform the work.
- My tenants were not permitted to enter the worksite until the work had been completed and clearance had been secured.

--RELOCATION – See §90-59A(2)

- My tenants were temporarily relocated during hazard reduction activities and until clearance was secured.
- My tenants were not temporarily relocated during hazard reduction activities and until clearance was secured because:
 - the work done did not disturb either:
 - lead-based paint, dust-lead hazards and/or soil-lead hazards
 - only the exterior of the unit was repaired and:
 - all openings to the house near the worksite are sealed during the

work; and

- all openings are cleaned after lead hazard reduction work is completed; and
- entry into the house is free of dust-lead hazards, soil-lead hazards and debris

interior work of the unit:

was completed:

- within one eight (8) daytime hours period; and
 - the worksite was contained to prevent the release of lead-substances and debris into other areas; and
 - the work did not create any other hazard; or

- within fifteen (15) calendar days; and
 - the worksite was contained to prevent the release of lead-substances and debris into other areas; and
 - treatment did not create other safety, health or environmental hazards; and
 - at the end of work on each day:
 - the worksite and the area within at least ten (10) feet of the containment area was cleaned to remove any visible dust or debris; and
 - my tenants had safe daily access to sleeping area and bathroom and kitchen facilities

--PROTECTION OF BELONGINGS – See §90-59A(3)

- I secured my tenants' units against unauthorized entry while work was done.

- I protected my tenants' belongings from contamination by dust-lead hazards and debris during hazard reduction activities.
 - I moved my tenants' belongings that were in the work area to a safe and secure area outside the work area; or
 - I covered my tenants' belongings with a waterproof covering and all seams and edges were sealed with tape.

--LEAD SAFE WORK PRACTICES – See §90-59 & §90- 60

- I or my agent, contractor or employees used lead safe work practices at all times. Specifically
 - I prepared the worksite in compliance with §90-59B. Specifically, I placed containment barriers to prevent the release of leaded dust and contain lead-based paint chips and other debris from hazard reduction

activities within the worksite until they could be safely removed and took measures that minimized the spread of leaded dust, paint chips, soil and debris.

I did not use the following methods of paint removal:

- Open flame burning or torching;
- Machine sanding or grinding without a high-efficiency particulate air (HEPA) local exhaust control;
- Abrasive blasting or sandblasting without HEPA local exhaust control;
- Heat guns operating above 1100 degrees Fahrenheit or charring the paint;
- Dry sanding or dry scraping, except dry scraping in conjunction with heat guns or within 1.0 foot of electrical outlets, or when treating defective paint spots totaling no more than 2 square feet in any one interior room or space, or totaling no more than 20 square feet on exterior surfaces; and/or
- Paint stripping in a poorly ventilated space using a volatile stripper that is a hazardous substance in accordance with regulations of the Consumer Product Safety Commission at 16 CFR §1500.3, and/or a hazardous chemical in accordance with the Occupational Safety and Health Administration Regulations at 29 CFR §§1910.1200 or 1926.59 as applicable to the work.

After hazard reduction activities were completed, I cleaned the worksite using cleaning methods, products and devices that are successful in cleaning up dust-lead hazards, such as a HEPA vacuum or other method of equivalent efficacy, and lead-specific detergents or equivalent.

--No CONFLICT OF INTEREST – See §90-57E

I confirm that the clearance examination, required pursuant to §90-56 and submitted to remove lead related violation(s), was performed by persons or entities independent of those performing the hazard reduction or maintenance activities.

--TENANT'S RIGHT TO TERMINATE LEASE – See §90-59A(4)

I understand that if interior hazard reduction activities will not be or are not completed within sixty (60) calendar days, my tenants have the right to terminate my lease and shall have no further obligation to pay rent under that rental agreement. However,

I further understand that my tenants still have to pay any back rent that is owed me.

--RETALIATORY ACTION PROHIBITED – See §90-63

- As a housing provider, I understand that the Lead-Based Paint Poisoning Prevention Law doesn't let me use my tenants' complaints against them if they make a complaint under that law.