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## Residential Lead Paint: Summary of Complying with the Massachusetts Lead Law

### What is the Massachusetts Lead Law?

The Commonwealth of Massachusetts regulates lead paint through **105 CMR 460**, the **Massachusetts Lead Law**. The goal of the Lead Law is to prevent children from being poisoned through ingestion of lead paint or inhalation of lead dust and requires all lead paint hazards removed or covered in residences built before 1978 where children under the age of six (6) reside. Lead paint hazards include loose lead paint and lead paint on windows and other surfaces accessible to children.

Owners are responsible for complying with the Lead Law. This includes owners of rental property as well as owners living in their own single family homes. If a child is lead poisoned by lead hazards in their residence, the owner is legally responsible.

### How to Comply with the Lead Law

Compliance with the Lead Law can be achieved in two ways:

1. **Full Compliance:** The owner of the residence must hire a licensed **lead inspector** who will test the residence for lead and note all lead hazards. If necessary, the owner must use a licensed deleading contractor or other trained and authorized person<sup>1</sup> to remove or cover all lead hazards. A Letter of Full Compliance is issued by the lead inspector if either:
  - a. No lead paint hazards are noted during the initial inspection or,
  - b. All the lead paint hazards have been removed, the lead inspector reinspects the residence, approves all work and documents all lead hazards have been removed or covered
2. **Interim Control:** To extend the timeframe for full deleading via Interim Control, the owner of the residence must hire a licensed **risk assessor** who will conduct a risk assessment and note all urgent lead hazards. If necessary, the owner must use a licensed deleading contractor or other trained and authorized person<sup>1</sup> to remove or cover all urgent lead hazards. A Letter of Interim Control is issued by the **risk assessor** after a risk assessment reinspection and approval of the work. The Letter of Interim Control is valid for a period of one year; however, the owner may have the **risk assessor** conduct a recertification reinspection prior to expiration to ensure that all Interim Controls are still in place and have been properly maintained. If so, the Letter of Interim Control can be recertified for another year. In effect, the owner has up to two years to remove or cover any remaining lead hazards and receive a Letter of Full Compliance.

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<sup>1</sup> Refer to [Lead Paint Fact Sheet 2](#) for clarification of types of work that may be done by trained and authorized persons or a licensed Deleading Contractor.



## What to Know Before You Lease a Residence

An owner cannot avoid liability by asking tenants to sign an agreement that they accept the presence of lead paint. In addition, an owner cannot evict or refuse to lease to anyone because of lead paint. The regulation applies whether or not rent is received for the residence or residential unit.

When you lease a residence or residential unit that was built before 1978, the owner must provide the tenants with the following documents before they sign a rental agreement, even if they do not have children under the age of six (6).

- The Tenant Lead Law Notification and Certification Form;
- A copy of the most recent lead inspection and/or risk assessment report, if it exists;
- A copy of any Letter of Compliance or Letter of Interim Control, if either exists; and
- Any information about lead in the residence

## Assistance

Harvard EH&S is available to assist and support Harvard property and project managers with issues relating to Lead Law compliance. Refer to [Lead Paint Fact Sheet 3](#) for information on obtaining a Letter of Full Compliance and [Lead Paint Fact Sheet 4](#) for information on obtaining a Letter of Interim Control.

EH&S (Cambridge Campus)  
46 Blackstone Street,  
Cambridge MA, 02139  
617-495-2060

[www.ehs.harvard.edu/buildings-facilities](http://www.ehs.harvard.edu/buildings-facilities)

EH&S (Longwood Campus)  
107 Ave. Louis Pasteur,  
Boston, MA 02115  
617- 432-1720

Additional assistance concerning lead poisoning and the Lead Law can be obtained from the Massachusetts Childhood Lead Poisoning Prevention Program (CLPPP).

### CLPPP

MA Department of Public Health  
250 Washington Street, Seventh Floor  
Boston, MA 02108

1-800-532-9571 (toll free)

[clppp@state.ma.us](mailto:clppp@state.ma.us)

[www.mass.gov/dph/clppp](http://www.mass.gov/dph/clppp)