



Residential Lead Paint: Requirements for Reoccupancy

What is Reoccupancy?

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. Reoccupancy is the returning of occupants/tenants to a residence or residential unit after lead paint hazards have been removed in accordance with the Lead Law. Reoccupancy requires the following:

- Occupants/tenants of a residence undergoing deleading for full compliance or Interim Control do not have to relocate if all required work is low-risk deleading.
- Occupants/tenants of a residence undergoing deleading for full compliance or Interim Control must be relocated if high-risk or moderate-risk deleading is required inside the residence. The tenants must be relocated until the work is completed.
- When all high-risk and moderate-risk deleading has been completed inside the residence, relocated occupants may resume occupancy after a reoccupancy reinspection.

Reoccupancy Reinspections

- A Reoccupancy Reinspection must be conducted by a licensed **lead inspector** if the deleading work is for a Letter of Full Compliance or a licensed **risk assessor** if the deleading work is for a Letter of Interim Control.
- Lead Dust Samples will be collected during the reoccupancy reinspection.
- The reoccupancy reinspection must document that the residence meets the conditions established in the Lead Law at 105 CMR 460.760(A).
- No other interior deleading activities may occur following a reoccupancy reinspection with the exception of low-risk activities. Additional exterior and common area deleading may be completed after tenants have reoccupied the residence.

Reoccupancy is not a Letter of Full Compliance or Interim Control

A Reoccupancy Reinspection is not a Letter of Full Compliance nor is it a Letter of Interim Control. A reoccupancy of a residence does not alter any of the remaining deleading compliance



requirements regarding obtaining either a Letter of Full Compliance or a Letter of Interim Control.

Following any reoccupancy of a residence or a residential unit, the owner must still complete all remaining deleading (abatement and/or containment activities) within common areas and in exterior areas within the allowed time frames for either Full Compliance or Interim Control.

Assistance

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

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

Contact the Massachusetts Childhood Lead Poisoning Prevention Program (CLPPP) to get training and authorization for low-risk deleading, to find a moderate-risk training course, or to find a licensed lead inspector, risk assessor, or deleader:

CLPPP
MA Department of Public Health
250 Washington Street, Seventh Floor
Boston, MA 02108
1-800-532-9571 (toll free)
clppp@state.ma.us
www.mass.gov/dph/clppp