

"A Team You Can Trust"

UPDATE ON LEAD-BASED PAINT

October 2009



Lead based paint has been of utmost importance since March 6, 1996, when the Environmental Protection Agency (EPA) & Housing & Urban Development (HUD) released regulations on the Residential Lead Based Paint Hazard Control Act. Additionally, the EPA invoked the Lead-Based Paint Pre-Renovation Education Rule, requiring notification to occupants in advance of work that could disturb lead-based paint. The danger from lead is that adults, children, and even animals can ingest lead by breathing or swallowing lead-based paint dust or by eating lead-contaminated soil or lead-based paint chips.

Reviewing Existing Law

The law applies to properties built prior to 1978. Sellers, property owners, and professionals must comply. There are exceptions listed below:

- Any rental less than 100 days (such as a vacation home)
- Zero-bedroom units such as efficiencies, lofts and dormitories
- Housing exclusively for the elderly
- Housing for handicapped unless children are present
- Rental housing that has been inspected by a certified inspector and found to be free of paint
- Housing being sold because of foreclosure
- Emergency renovations or repairs; minor repairs disturbing

2 sq. feet or less of paint per component

The general guidelines for compliance by landlords and property managers are:

- Sellers and property owners must disclose known paint hazards and provide available reports to buyers and tenants. You do not have to supply a report if there is not an existing report.
- Property managers and owners must give buyers and renters a federal pamphlet titled "Protect Your Family from Lead in Your Home."
- Property managers and owners must include certain language in rental agreements to ensure that disclosure and notification actually take place.
- For rental transactions, the property managers and owners must provide the information prior to accepting an application and complete the disclosure portions of the rental agreement and/or lease prior to renting.
- Prior to any renovation or maintenance, landlords must take steps to notify tenants in writing 7 days in advance of the work to be completed and once again, provide the pamphlet previously referenced.
- Courts can fine Property owners up to \$10,000 for civil and criminal fines for each violation. Additionally, owners can pay up

to triple damages in a lead-based paint lawsuit if they knowingly violated the rules.

New Federal Requirements

The EPA has now issued new federal requirements for contractors who renovate or repair housing, child-care facilities, or

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ASSET MANAGEMENT

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schools built before 1978. The "Lead: Renovation, Repair and Painting Program" rule will take effect in April 2010 and prohibits work practices creating lead hazards. Requirements under the rule include implementing lead-safe work practices and certification and training for paid contractors and maintenance professionals working in pre-1978 housing, child-care facilities, and schools. Beginning October 22, 2009, contractors must take EPA-accredited training before beginning renovation, repair, or painting projects as defined in the RR&P rule.

The rule covers all rental housing and non-rental homes in homes constructed prior to January 1, 1978, where children under six and pregnant mothers reside. The new requirements apply to renovation, repair, or painting activities where more than six square feet of lead-based paint is disturbed in a room or where 20 square feet of lead-based paint is disturbed on the exterior. The affected contractors include builders, painters, plumbers, and electricians. Trained contractors must post warning signs, restrict occupants from work areas, contain work areas to prevent dust and debris from spreading, conduct a thorough cleanup, and verify that the cleanup was effective. These new requirements are key components of a comprehensive effort to eliminate childhood lead poisoning.

As your management company, we know the importance of compliance with the EPA rulings. If there is work required that affects lead-based paint, we contact the tenants and owners in a timely manner with the required notifications before starting work. Then, we use only approved lead-based paint contractors where the situation applies. For more information, visit www.epa.gov/lead.

HOA Corner...

With fall approaching, maintenance preparations for the winter will be needed. Together we will evaluate your seasonal needs and put efforts in place to prevent the unnecessary chill of unexpected repairs. Thanks to all of you that assist with the goals!

Joanne Diaz

Sr. HOA Service Administrator

EFFECTIVE TENANT MANAGEMENT

One of the main functions of property management is to ensure proper management of tenants. You have invested in property to make profits. In order to do so, your tenants need to be managed properly and the occupancy needs to be maintained at a high level.

One of the primary tasks of property managers is to keep the tenants satisfied. When tenants are not happy they would vacate the property even before their lease runs out. This reduces rent collection and increases marketing costs. You would need to again spend on marketing to get new tenants.

Good property managers understand that effective tenant management involves good rent collection practices, consistent and fair enforcement of rules and regulations, regular communication with the tenants and responsive and timely handling of repairs and maintenance.

A property manager needs to consistently perform in these areas to ensure that there are less dissatisfied tenants, high occupancy rates, low marketing costs, and high return on investment.

In order to maintain good relationship with the tenants and to keep them satisfied, property managers need to ensure timely and responsive handling of all the repairs and maintenance. In order to do this job in a proper manner, management property agents should have a thorough knowledge of the property under their care. Furthermore, they need to maintain a balance between the cost of maintenance and the desired results.

So overall, good property managers understand how important tenants are and do everything they can to maintain a good relationship with them.

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YOU need to take care of yourself!

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