

LEAD-BASED PAINT DISCLOSURE

1 *Federal law mandates that Sellers of housing constructed prior to 1978 must complete certain Lead-Based Paint*
 2 *Disclosure requirements. These should be completed before the Buyer makes an offer and certainly before the Seller*
 3 *accepts a purchase offer, otherwise the Buyer may not be obligated under any contract to purchase such housing.*

4 **Lead Warning Statement**

5 Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is
 6 notified that such property may present exposure to lead from lead-based paint that may place young children at risk of
 7 developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including
 8 learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also
 9 poses a particular risk to pregnant women. The Seller of any interest in residential real property is required to provide
 10 the Buyer with any information on lead-based paint hazards from risk assessments or inspections in the Seller's
 11 possession and notify the Buyer of any known lead-based paint hazards. A risk assessment or inspection for possible
 12 lead-based paint hazards is recommended prior to purchase.

13 Property Address: _____

14 **Seller Disclosure**

15 ***Seller to check one box below:***

- 16 Seller has no knowledge, records, or reports of lead-based paint and/or lead-based paint hazards in the
 17 housing.
- 18 Seller is aware of the presence of lead-based paint and/or lead-based paint hazards in the housing and has provided
 19 the Buyer with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the
 20 housing. List any records, reports and/or additional information, including but not limited to the basis for the
 21 determination that lead-based paint and/or lead-based paint hazards exists, the location of the lead-based paint and
 22 the conditions of the painted surfaces. This requirement includes records or reports regarding common areas. It also
 23 includes records or reports of other residential dwellings in multifamily housing, provided that such information is
 24 part of an evaluation or reduction of lead-based paint and/or lead-based paint hazards in the target housing as a whole.
 25 If no reports or records are available, Seller shall indicate as such.

26 _____
 27 _____

28 **Buyer Acknowledgment**

- 29 1) Buyer has received copies of all records, reports and information listed above (if any);
 30 2) Buyer has read the Lead Warning Statement (above) and understands its contents;
 31 3) Buyer has received the lead hazard information pamphlet, "Protect Your Family From Lead In Your Home"
 32 (Copies available at <http://www.hud.gov> and <http://www.epa.gov>);
 33 4) Buyer has received a 10-day opportunity (unless the parties mutually agreed upon a different period of time)
 34 before becoming obligated under the contract to purchase the housing to conduct a risk assessment or inspection
 35 for the presence of lead-based paint hazards. This opportunity is waived if Buyer checks the second box below.

36 ***Buyer to check one box below:***

- 37 Contract is subject to Buyer's approval of the results of a risk assessment or inspection of the property for the
 38 presence of lead-based paint and/or lead-based paint hazards, to be completed at the Buyer's expense. This
 39 contingency shall be satisfied **within 10 calendar days after the Binding Agreement Date.**
- 40 Buyer ***waives the opportunity to conduct a risk assessment or inspection*** for the presence of lead-based paint and/or
 41 lead-based paint hazards.

42 **Licensee Acknowledgment**

43 Licensees have informed the Seller of the Seller's obligations under 42 U.S.C. § 4852d, as amended, and are aware of
 44 listing and selling licensees' duty to ensure compliance.

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