

The Philadelphia Lead Paint Disclosure & Certification Law:

What Tenants Need to Know

As of October 1, 2020, Philadelphia amended the lead law to ensure that all landlords, regardless of children six and under, must certify their rentals lead safe or lead free. The new law will be enforced by specific sets of zip codes, and by 2022, all Philadelphia landlords with properties built before 1978 will be held accountable. Properties built before 1978 could have lead paint, which can poison children when it is peeling, chipped or cracked.

Tenants moving into a rental home with children under six should still receive a Lead Safe or Lead Free Certificate from their landlord if the following conditions are met:

- The property was built before 1978, and
- There is a change of occupancy, and
- Any new occupant is aged 6 years or less

The landlord must provide the tenant with a current certificate showing that the property has passed a visual inspection for deteriorated paint and has been cleared by lead dust wipe samples or is free of any lead paint, before a lease is signed.

Only a PA Licensed Inspector or Risk Assessor or EPA Certified Lead Dust Sampling Technician can provide a certification.

For more information, copies of the law, tenant and landlord responsibilities, and more, go to: www.phila.gov/health/leadlaw

It is Against the Law to Refuse to Rent to Families with Children

It is against Federal, Pennsylvania and Philadelphia law to refuse to rent to families with children under 18 (except for designated senior housing). A landlord cannot:

- refuse to rent housing tenants with children, or
- make housing unavailable, or
- falsely deny housing is available for rent to tenants with children, or
- set restrictions on which children can share a bedroom

Familial status discrimination is the most common and most commonly misunderstood form of housing discrimination. Many housing providers believe it is legal to say, "We won't accept children." It is not legal—it is a violation of the fair housing laws.

Philadelphia's new lead disclosure and certification law does not change these requirements. For more information, contact the Philadelphia Fair Housing Commission at 215-686-4670 or go to <http://www.phila.gov/fairhousingcommission>.

Tenants should ensure that their landlords also provide:

1. The Environmental Protection Agency (EPA's) lead hazard information pamphlet **Protect Your Family from Lead in Your Home (only in homes built before 1978)**.
2. A City of Philadelphia **Partners for Good Housing** brochure issued by the Philadelphia Department of Licenses and Inspections.
3. **A Certificate of Rental Suitability**, issued by the Philadelphia Department of Licenses and Inspections, no more than sixty (60) days prior to residence. This certificate states that properties have obtained all required rental licenses and do not have critical code violations. Property Owners are reminded to obtain a rental license and Commercial Activity License.

What should tenants look out for before renting an apartment?

Tenants need to check the person they will be renting from if he/she is the property owner or representative of the property on opa.phila.gov.

Tenants should talk to people living in the neighborhood about the owner and check for the safety of the neighborhood.

What can tenants do right away to reduce or prevent lead exposure?

- Notify landlord of peeling or chipping paint.
- Clean up paint chips.
- Use a wet mop or wet cloth to clean floors, window frames & sills.
- Thoroughly rinse cleaning sponges & mops.
- Wash children's hands often.
- Prevent children from chewing painted surfaces.
- Give children meals high in iron & calcium.

The Philadelphia Department of Public Health, Lead and Healthy Homes Program, is available to answer questions about the law. We can be reached at **215-685-2788** or by e-mail at leadcert@phila.gov

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