



Pre-Renovation Education (PRE) History and Update

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Pre-Renovation Education

History

Environmental Protection Agency
Information Distribution Requirements

§745.85

June 1, 1998

EPA

1998

Owner

No More than 60 days before beginning renovation activities in target housing...

- 1. Provide the unit owner with the approved lead information pamphlet.
 - (i) Obtain a written acknowledgment from the owner.
 - or
 - (ii) Obtain a certificate of mailing at least 7 days prior to the renovation.

EPA

1998

Occupant

- 2. If the owner does not occupy the unit, provide the adult occupant with the approved lead information pamphlet.
 - (i) Obtain a written acknowledgment from the adult occupant or self certify that the pamphlet has been delivered.
 - (ii) Obtain a certificate of mailing at least 7 days prior to the renovation.

Self certification for occupants

- A statement that the pamphlet was delivered and the renovator was not successful in obtaining a written acknowledgment from the adult occupant.
- Address of the unit undergoing renovation.
- Date and method of delivery of the pamphlet.
- Reason for lack of acknowledgment.
- Name and signature of person delivering the pamphlet.
- Date signed.

EPA

1998

Renovation in common areas

- 1. Provide the owner with the pamphlet.
- 2. Distribute a written notice to each affected unit of a multi-family housing prior to the start of renovation.
 - Describe the general nature and locations of the planned renovation activities.
 - Start and end dates.
 - A statement of how the occupant can obtain the pamphlet at no charge, from the renovator.

EPA

1998

Renovation in common areas

- 3. Prepare sign and date a statement describing the steps performed to notify all occupants of the intended renovation activities and to provide the pamphlet.
- 4. Notify all affected units of changes in start and end dates, location, and the scope of planned renovation activities.

EPA

1998

Written Acknowledgments

- Include a statement recording the owner or occupants name and acknowledging receipt of an approved pamphlet prior to the start of renovation.
- The address of the unit undergoing renovation.
- The signature of the owner of occupant as applicable.
- The date of the signature.

Michigan

2005

Lead Hazard Control

January 12, 2005

Notifications; pre-renovation education

R 325.99408

- Applies to both target housing and child-occupied facilities.
- The law included providing the pamphlet to the owner and occupants.
- Obtaining a written acknowledgment or self certifying for occupants of rental units.
- Did not include the notification requirements for common areas of multi-family target housing units.

Michigan

2007

Lead Hazard Control

September 26, 2007

Pre-renovation education

R 325.99409

- Pre-renovation education was assigned a new regulation number R 325.99409.
- Pre-renovation education was expanded to include all areas of the information distribution requirements of §745.85.
- Child occupied facilities were still included in PRE.

EPA

2008

Information Distribution Requirements

§745.84

April 22, 2008

- The information distribution requirements were expanded with the enactment of the Renovate, Repair, and Painting Rule (RRP) and is considered to be part of RRP.
- The regulation number changed from §745.85 to §745.84.
- The New regulation changes the notification requirements for work in common areas.
 - All affected units must be notified prior to the start of a renovation activity.
 - or
 - While the renovation is ongoing, post informational signs in areas where they are likely to be seen by the occupants of all of the affected units. The signs must be accompanied by a copy of the pamphlet.

EPA

2008

Requirements for child occupied facilities (COF) were added.

- 1. Provide the owner with the pamphlet and obtain a receipt.
- 2. Provide an adult representative of the COF with the pamphlet and obtain a receipt, or self certify.
- 3. Provide the parents or guardians of children using the COF with the pamphlet and information describing to the general nature and location of the renovation and the project end date.
 - Mail or hand deliver.
or
 - Post informational signs and a copy of the pamphlet in areas where they will be seen by parents or guardians.
- 4. The renovation firm must prepare, sign and date a statement describing the step performed to notify the parents and guardians.

HUD

24 CFR Part 35

Section 35.130

- Lead Hazard information requirements.

Section 35.110

- Painted surfaces to be disturbed means a painted surface that is to be scraped, sanded, cut, penetrated or otherwise affected by rehabilitation work in a manner that could potentially create a lead-based paint hazard by generating dust, fumes, or paint chips.

Michigan

Pre-renovation Education (PRE)

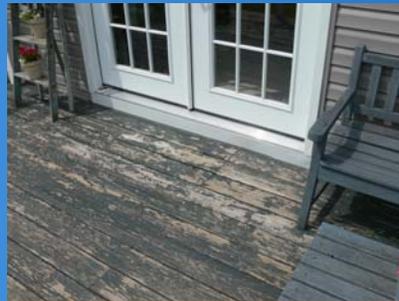
Not more than 60 days before commencing a renovation activity for compensation...

PRE applies to renovation activities that disturb painted surfaces in target housing and child occupied facilities.

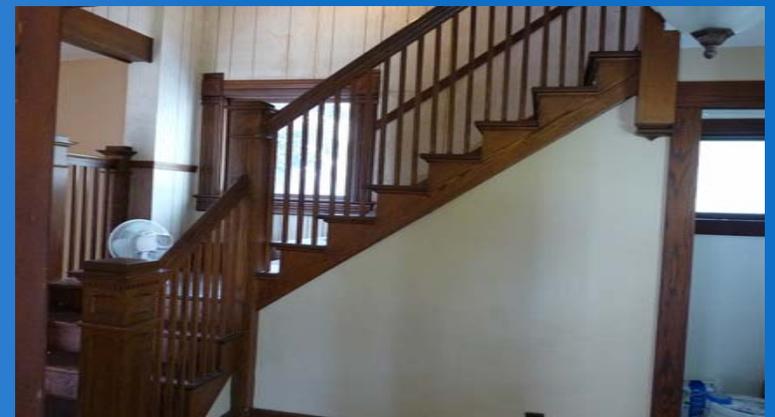
Paint



Paint



Varnish, Shellac, and Stain



Paint covered by wallpaper



Other coatings



Approved pamphlet



From EPA

www.epa.gov/lead
800-424-5323

From Michigan

www.michigan.gov/leadsafe
866-691-5323



Differences from EPA and HUD

- Michigan PRE only allows a renovator to notify all affected units for common area renovations.
- Michigan PRE has not added requirements for child occupied facilities.
- Michigan de minimis levels for PRE are more restrictive than EPA but less restrictive than HUD.

Exemptions

- For Michigan, if you disturb:
 - Less than 2 sq. ft. of painted surface per room.
 - Less than 10% of painted surface on an interior component.
 - Less than 20 sq. ft. of painted surfaces total on the building exterior.
- For HUD
 - Less than 10% of painted surface on an interior or exterior component.
- For EPA RRP, if you disturb:
 - Less than 6 sq. ft. total of painted surface per room.

Exemptions

- Lead abatement.
- The portion of a renovation that is designated as lead abatement, but not the entire renovation.
- Housing or components that are found to be free of lead-based paint by a certified inspector or risk assessor in a lead based paint inspection report.
- Commercial properties except those which have child occupied facilities.

Exemptions

- Emergency renovations until the emergency conditions are eliminated.
- Zero-bedroom dwellings like studio apartments, dormitories, etc. unless children under 6 years old resides there.
- Dedicated housing for the elderly or disabled, unless children under 6 years old will reside there.
- An unoccupied property that is scheduled for demolition provided the property will remain unoccupied until demolition.

Enforcement

Pre-renovation education is enforced by the Michigan Department of Community Health.

R 325.99409

RRP is enforced by EPA.

Most common violations

- Failure to provide the pamphlet.
- Failure to include all required information in a receipt of acknowledgment.
 - Address is missing
- Failure to notify the occupants for common area renovations.
- Failure to obtain a written acknowledgment of receipt.
- Failure to provide records when requested.

PRE Investigations

Investigations are initiated by random selection or by receiving a tip or complaint from the public.

Some of the tips have come from:

- Occupants of rental units
- Neighbors
- Competitors
- General public

All tips get forwarded on to EPA if they contain RRP violations.

PRE Investigations

Last twelve months

- 177 investigations
 - 43 currently active
 - 134 closed
 - Over 40 citations

PRE Investigations

Contractor selected for PRE audit. Response to the audit letter contained acknowledgments for the PRE qualifying renovations. No citations issued.

169 unit multi-family target housing complex. Maintenance staff replaced some exterior doors to the buildings.

Citation was issued for \$2250.

Contractor selected for PRE audit. Response to audit letter detailed many renovation projects. Some were PRE qualifying renovations.

Citation was issued for \$2880.

Questions?