

LEAD REGULATION EXEMPTIONS: HOUSING CHOICE VOUCHER PROGRAM

This worksheet should be placed in the project file for any residential property that is assisted with tenant-based rental assistance funds.

Exemptions from Requirements of 24 CFR Part 35

For a "yes" answer, the property is exempt from the Lead Disclosure Rule (LDR) and/or the Lead Safe Housing Rule (LSHR), as shown in the right-hand column. The paragraphs in the regulation that establish each exemption is also shown.

Question	Regulatory Citation	Yes	No	If yes, exempt from:
Was the property constructed after 1977?	35.86, 35.115(a)(1)			LDR and LSHR
Is this a zero-bedroom unit or property? (e.g. , SRO, efficiency)	35.86, 35.115(a)(2)			
Is this dedicated elderly housing? (i.e., age 62 or older)	35.86, 35.115(a)(3)			
Is this housing dedicated for the disabled?	35.86, 35.115(a)(3)			
Has a paint inspection conducted in accordance with 40 CFR 745 established that the property is free of lead-based paint? *	35.82(b) <i>[Note: The disclosure exemption applies to leases only],</i> 35.115(a)(4)			
Has all lead-based paint in the property been identified and removed, with qualified clearance examiner reporting the project passed clearance? *	35.115(a)(5), 35.1340			LSHR
Will the unit be occupied for a total of less than 100 days under emergency leasing assistance to eligible households?	35.115(a)(11)			

* Date of the inspection or clearance report: Printed name of lead-based paint inspector, risk assessor or sampling technician:	
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