



Request for Public Comment

Lead-Safe Certification Guidance

The City of Cleveland Department of Building & Housing is seeking public feedback on this draft guidance document for residential rental owners and their agents to better navigate the City's Lead-Safe Certificate Ordinance and associated processes.

Please provide your comments by 5:00pm on April 26, 2024 to:
ecollins@clevelandohio.gov

DRAFT City of Cleveland Lead Safe Certification Guidance

This document provides guidance to property owners and their agents subject to the City of Cleveland's Lead Safe Ordinance. The intent of this document is to clarify how the City processes and considers applications for a 2-year Lead Safe Certification or a 20-year Exemption from the need to obtain a 2-year Lead Safe Certification.

In some cases, the Guidance provided below provides a basis for property owners and their agents to use the U.S. Housing and Urban Development Guidelines for the Evaluation and Control of Lead-based Paint in Housing¹ to navigate the City of Cleveland's Lead Safe Ordinance.²

¹ The "HUD Guidelines" are available online at [The HUD Guidelines for the Evaluation and Control of Lead-based Paint in Housing | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](https://www.hud.gov/lead).

² The City of Cleveland Lead-Safe Certification Ordinance specifically refers to the Federal HUD Guidelines for testing the minimum number of units relative to the total number of units in the structure of residential rental units that contain five (5) or more residential units and was constructed prior to January 1, 1978. Otherwise, the City Ordinance refers to state law for clearance examination reports and lead risk assessments, and Code of Federal Regulation rules and state law for 20-year Exemption standards. See CCO § 365.04.

I. Identifying properties subject to the City of Cleveland's Lead Safe Ordinance

All residential rental units constructed before January 1, 1978 are subject to Cleveland's Lead Safe Ordinance.

When submitting applications for compliance with the Lead Safe Ordinance as outline below, all properties subject to Cleveland's Lead Safe Ordinance must be identified by parcel number as listed in the most recent Cuyahoga County property records at the time of the application.³

Where multi-family residential rental units that cross parcel numbers or addresses have undergone comparable types of lead hazard control, a clearance evaluator may group those units together for random sampling in accordance with Ohio Administrative Code 3701-32-12(F), as outlined below in Section IV.B.1. However, even when random sampling is performed across parcel numbers or addresses, the subsequent report must be submitted to the City by parcel number and clearly describe the comparable types of lead hazard control across parcel numbers that supports the grouping in each separate submission. The report covering all parcel numbers grouped together should be attached to each application made to the City by parcel number.

II. The three forms of compliance for properties subject to the Lead Safe Ordinance.

All properties subject to Cleveland's Lead Safe Ordinance may pursue one of three options for compliance with the Ordinance:

- (1) The property may obtain a Lead Safe Certification and seek re-certification every 2 years; or
- (2) The property may receive a 20-year Exemption from the need to receive a 2-year Lead Safe Certification by meeting higher standards of lead safety as outlined below; or

³ Current property records and parcel numbers are available at: [MyPlace Home \(cuyahogacounty.gov\)](https://myplacehome.cuyahogacounty.gov).



- (3) The property may receive an annual Exemption from the need to receive a 2-year Lead Safe Certification if a residential rental unit is currently being renovated, is vacant, the owner does not receive anything of value for the unit, and the owner submits an affidavit to the City stating that both of those conditions is true. Such affidavits shall be filed annually on a form prescribed by the Director.

Section III covers the general process for the 2-year Lead Safe Certification and 20-year Exemption. Section IV below covers in more detail the work done prior to submission of an application for a 2-year Lead Safe Certificate or a 20-year Exemption. Section V below covers city guidance on the submission process itself and Section VI covers the City Review of those submissions.

III. Process to Obtain a 2-year Lead Safe Certification or a 20-year Exemption

To obtain a 2-year Lead Safe Certificate, the owner of the rental unit(s) must demonstrate that lead hazards were not identified on the property by submitting a "Clearance Examination Report" (called "Lead Report" in this guidance document).⁴ In contrast, to obtain a 20-year Exemption, the owner of the rental unit(s) must obtain a Lead Risk Assessment and Paint Inspection⁵ ("LIRA") verifying to the City that lead hazards were abated in the unit(s). A Lead Report or LIRA must be prepared by a licensed professional who evaluates the state of lead hazards on the property.

Prior to hiring a professional to conduct a clearance examination, the property owner must first clean, control, or remediate potential lead hazards. Each property has different needs for control of lead prior to a clearance evaluation. A property owner can determine what level of cleaning, control, or remediation is necessary by considering the following: the work that has already been performed on the building,

⁴ A clearance examination is "a visual assessment of a residential unit...that may be followed by the collection of environmental samples to determine whether the lead abatement, interim controls, or non-abatement lead activities in a residential unit...has sufficiently controlled lead hazards or presumed lead hazards." Ohio Administrative Code 3701-32-12(A).

⁵ A lead risk assessor is licensed to conduct lead inspections, lead-based paint sampling, clearance examinations, lead risk assessments, lead hazards screen risk assessments, other lead assessment activities, and identify lead hazard control strategies to reduce or eliminate lead exposures. OAC 3701-32-07. A lead risk assessment and paint inspection (LIRA) includes the items from a clearance examination report, but also describe the paint and soil lead hazards and acceptable hazard control options, either interim control or abatement of the hazard, to create a lead safe environment on the property.



such as a fresh coat of paint, replacement of windows and doors, and mulching or seeding of bare soils; if work is required, does the owner wish to complete the work or hire a certified contractor to perform cleaning or lead safe repair, renovation, painting or remediation; the owner's budget and available grants, loans, and incentives.

The decision on what degree of cleaning, control or remediation to engage in can determine if your property can achieve clearance and how long a property's clearance status can be maintained.

2-year Lead Safe Certificate	20-year Exemption
If your budget only allows for cleaning and stabilization of lead hazards, such as painting, covering bare soils with mulch or grass seed and straw, and use of a HEPA vacuum, then you can obtain a lead safe certificate demonstrating compliance for 2 years until you need to renew your certificate.	If you remediate by conducting activities such as replacing wood windows, doors, railings, baseboards, porches, baseboards, siding, and all painted surfaces; and removing, replacing, covering, or paving over bare soils, you may be able to obtain a 20-year Exemption.

Once a cleaning, control, or remediation is complete, a property owner is ready for the evaluation process. The owner of the rental unit(s) can obtain a Lead Report or LIRA by hiring a licensed professional to conduct the following steps:

- A passing visual inspection by a licensed professional.
- Collection of lead dust samples by either a clearance technician or lead risk assessor that complies with Appendix A of Ohio Administrative Code 3701-32-12.
- Analysis of samples by an EPA-certified laboratory.
- If the inspection demonstrates that lead hazards are present, the property owner must clean, control, or remediate those hazards prior to submitting a Lead Report or LIRA to the City. The visual inspection and dust collection can



be done as many times as necessary to obtain a passing result before submitting to the City.

- If the inspection demonstrates that lead hazards were not identified in the unit(s), the owner may submit the resulting Lead Report or LIRA to the City for review.

These steps and the process that must be used by owners and the professionals hired to assist the owner in achieving a lead-safe property are detailed below.

IV. Prior to Submission of an Application for a 2-year Lead-Safe Certificate or a 20-year Exemption.

A. Cleaning, control, or remediation of potential lead hazards.

Depending on the condition of the rental unit(s), the owner may need to merely clean or paint, but may need to conduct remediation due to the degree of deterioration of paint or large amounts of lead dust or bare soil. The safe handling of surfaces that may be creating lead dust for the purpose of cleaning, painting or remediation is best performed by a certified Renovation, Repair and Painting (“RRP”) worker. RRP workers are professionals trained to address lead paint hazards, but they are not the professionals who will eventually conduct the evaluation of whether lead hazards remain on your property. Two lists of RRP workers are available:

- Ohio Department of Health: [Environmental Licensing \(ohio.gov\)](#)
- Lead Safe Cleveland Coalition: [RRP Certified Vetted Contractors | Lead Safe Cleveland Coalition](#)

You may become certified yourself if you prefer to conduct RRP work prior to a clearance evaluation. Check the following US EPA site for upcoming training options: [Lead Home | Lead in Paint, Dust, and Soil | US EPA](#).

If a property owner prefers to have their property evaluated *first* to determine what lead paint hazards exist and what options are available to control those hazards, then the property owner should contract with a Lead Risk Assessor to conduct that evaluation. If the Lead Risk Assessor provides options to control lead hazards, the owner must address the identified lead hazards prior to seeking a clearance evaluation of the property. While the owner may choose to conduct the



recommended lead hazard control options themselves once certified in RRP, an owner may also decide to hire an RRP certified contractor to conduct the cleaning, control or remediation recommended by the Lead Risk Assessor.

A property owner renting 1-3 units may contact the City's 1-3 Family Lead Safe Compliance Unit directly for the following:

- assistance in filling out applications, forms and any other required submissions;
- to conduct a Risk Assessment for the purpose of determining necessary lead hazard control options;
- navigate available grants, loans or incentives;
- provide assistance in preparing the unit to pass a clearance exam, which will be handled by outside vendors of the landlord's choosing; and

Develop a compliance schedule to achieve the goal of obtaining a Lead-Safe Certificate or 20-year Exemption.

A property owner may also choose to clean their property, especially considering the work that has already been performed on the building, such as a fresh coat of paint, replacement of windows and doors, and mulching of bare soils; and proceed to one of the available lead evaluations described in subsection B. of this section.

B. Types of Lead Evaluations

A lead evaluation – the test of whether your units are lead safe after any cleaning, control, and/or remediation – must be conducted by a licensed clearance technician, lead paint inspector, or lead risk assessor who is independent from any professional who conducted the cleaning, control or remediation of your property. The decision on what type of professional to employ can impact the length of coverage that your authorization provides (either a 2-year Certificate that must be renewed or a 20-year Exemption).

2-year Lead Safe Certificate	20-year Exemption
Clearance Examination may be performed by: <ul style="list-style-type: none"> • Clearance Technician • Lead Paint Inspector • Lead Risk Assessor 	A LIRA (combined Lead-based Paint Inspection and Risk Assessment) may be performed by: <ul style="list-style-type: none"> • Lead Risk Assessor



<p>Lead-Based Paint Inspection may be performed by:</p> <ul style="list-style-type: none"> • Lead Paint Inspector • Lead Risk Assessor <p>Risk Assessment may be performed by:</p> <ul style="list-style-type: none"> • Lead Risk Assessor 	
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The difference between the types of reports is fully described in Appendix A.

Clearance Technicians, Lead Paint Inspectors, and Risk Assessors perform different roles that owners of rental units should consider in hiring. A full list of qualifications and roles of lead service providers is available in Appendix B.

- **Clearance Technician or Lead Paint Inspector:** may only perform clearance examinations on non-abatement projects, which can clear the unit(s) for a 2-year Lead Safe Certificate, with a Clearance Examination Report consisting of a visual assessment and collection of lead dust samples that are analyzed by an EPA-recognized laboratory. **Clearance technicians may not provide advice to property owners on remediating a property when a visual inspection or lead dust samples and analysis demonstrates the uncontrolled presence of lead.**
- **Lead Risk Assessor:** can perform a clearance examination; can also produce a “comprehensive lead risk assessment and paint inspection report, issued by a lead risk assessor verifying that the unit has been abated of lead hazards” as required for a 20-year Exemption. A Lead Risk Assessor’s license allows them to provide a property owner advice on remediating a unit after lead hazards are identified in a clearance evaluation or risk assessment.

The activities performed for each authorization differ as follows:

2-year Lead Safe Certificate	20-year Exemption
<ul style="list-style-type: none"> • An environmental sampling that includes dust wipe samples; 	<ul style="list-style-type: none"> • On-site investigation of a residential dwelling to determine the existence, nature, severity, and



<ul style="list-style-type: none">• A visual assessment of all inside and outside components and out-building(s) on the property for any deteriorated or potential lead hazards;• Preparation of a complete report using a City of Cleveland-approved template and a copy of the unedited laboratory analysis report of the dust wipe samples verifying that no elevated levels of lead exist in dust on the property.	<p>location of lead-based paint hazards;</p> <ul style="list-style-type: none">• A Lead Paint Inspection and Risk Assessment will include an investigation of the age, history, management, and maintenance of the dwelling; a visual assessment of all inside and outside components and out-building(s) on the property for any deteriorated paint or potential lead hazards; and a full lead paint, surface-by-surface inspection with an X-ray Florescent Instrument (XRF);• An environmental sampling that includes dust wipe samples and soil samples where bare soils are present;• Preparation of a complete report using the City of Cleveland-approved template providing all raw data readings, including all calibrations, generated from the XRF machine verifying abatement of lead hazards (HUD Guidelines Chapter 7, page 35), and a copy of the Laboratory Analysis Report containing results of the dust wipes and soil samples where bare soils are present verifying that no elevated levels of lead exist in dust or soil on the property.
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1. Units subject to Clearance Examination or Risk Assessment in multi-unit buildings.

2-year Certificate – Multi-Unit Buildings

The City of Cleveland’s Lead Safe Ordinance specifically requires that an application for a 2-year Lead Safe Certificate for multi-unit rental structures utilize the HUD Guidelines to demonstrate “that lead hazards were not identified in the minimum number of units tested relative to the total number of units in the structure.” CCO § 365.04(b)(2). In determining the minimum number of residential units, common areas, room equivalents, or exterior areas, or any combination of these areas, to be sampled, the City of Cleveland looks to the standards in Ohio Administrative Code rule 3701-32-12, Appendix C to determine the minimum number of randomly sampled residential units or room equivalents to be tested when performing clearance examinations.⁶ The City of Cleveland will only consider applications that use random sampling for multi-unit buildings to ensure lead-safe living environments for a 2-year Certification as described more fully below. Structures with two or more units must include common area visual assessments and dust wipe sampling.

20-year Exemption – Multi-Unit Buildings

Similarly, the City of Cleveland requires that when seeking the 20-year Exemption, the owner seeking the Exemption must provide a comprehensive lead risk assessment and paint inspection report that uses random sampling. If your Lead Risk Assessor uses “targeted risk assessment,” then you should not expect your application to be eligible for a 20-year Exemption.

In seeking a 20-year Exemption, Cleveland’s code refers to a demonstration from a lead risk assessor “verifying that the unit has been abated of lead hazards.” CCO § 365.04(c). HUD Guidelines provide the available sampling methods for the City to consider in determining either proper “identification” for certification applications or “verification” of lead abatement for Exemption applications.

The targeted, worst-case scenario, and random sampling methods for risk assessment provide for differing levels of statistical significance and confidence that must be considered by the City of Cleveland in reviewing applications for Lead Safe

⁶ OAC 3701-32-12, Appendix C, available at [Rule 3701-32-12 - Ohio Administrative Code | Ohio Laws](#).



Certification or an Exemption. HUD Guidelines, pp. 5-65 – 5-69, 7-36 – 7-41. The HUD Guidelines discuss “concerns” about targeted and worst case sampling for risk assessments that provide the basis for a 20-year Exemption from the City of Cleveland, “because it is not possible to quantify the degree of certainty associated with the findings as is the case for random sampling.” HUD Guidelines, p. 5-65.

To address this concern, the HUD Guidelines call upon the Lead Risk Assessor to demonstrate conscientiousness about the selection of proper dwelling units to be sampled and confidence in the credibility and completeness of the information supplied by the owner of the multi-unit dwelling. According to the HUD Guidelines, “if...a statistically significant degree of confidence about the existence of lead-based paint hazards” is “required,” then random sampling should be used. HUD Guidelines, p. 5-65. In analyzing the differences between targeted, worst case, and random sampling, HUD Guidelines refer to the reasoning for a more stringent protocol for lead-based paint inspections: “[r]andom sampling is recommended for lead-based paint inspections because the results are often used to...provide a regulatory Exemption if no lead-based paint is found.” The HUD Guidelines recommend the use of random sampling to instill statistical confidence in the issuance of a regulatory Exemption. The City of Cleveland follows those same expectations for the 20-year Exemption.

Structures with two or more units must include common area visual assessments and dust wipe sampling.

2. Visual Inspection

A clearance evaluation or a lead risk assessment starts with a visual inspection. A visual inspection must include dwelling units, common areas, exterior areas, and outbuildings. The visual assessment is performed to identify any deteriorated paint and to identify visible dust, paint chips, or paint-related construction debris. The process used for visual assessments is described in HUD Guidance pages 15-17 through 15-20. For the City of Cleveland’s review of the clearance report or risk assessment, the visual assessment must be documented by recorded observations and notes on a form entitled “Visual Assessment – Lead Hazard Clearance Examination.” ODH Form 7731. Color pictures from the visual inspection are also required. Each room and any exterior areas visually inspected must be listed on the form. The City of Cleveland will review the clearance examination and may deny an



owner's request for a 2-year Lead Safe Certificate or 20-year Exemption if any of the following deteriorated paint conditions are depicted *without sufficient explanation*:

- Areas of bare soil
- A site drawing depicting property lines
- Interior and exterior surfaces with deteriorated paint
- Occurrence(s) of paint chips, dust or paint debris
- Painted surfaces that are impact points or subject to friction with signs of wear
- Stored, accumulated or discarded construction materials with residual paint
- Chewed surfaces
- All other deteriorated, painted surfaces

If any of these areas show chipping, dust, or paint debris, the clearance examiner or Lead Risk Assessor should stop the inspection rather than continuing on to lead dust samples. The property and/or unit(s) demonstrating visual uncontrolled paint will not pass clearance. If a Lead Visual Assessment demonstrates that further paint treatment or cleanup is required, the clearance examiner should provide the client with observations on a dated and signed form. A Lead Risk Assessor may provide both the observations *and* advice on how to address any lead hazards identified in the visual assessment. The clearance examiner or Lead Risk Assessor will be able to return once the repair and cleanup is complete to perform a second visual assessment to document the presence or absence of unexplained deteriorated paint. Dust sampling and analysis, which is the clearance examiner's second step after the owner's unit(s) clear a visual assessment, should not be conducted for *any of the property's units* if the visual inspection demonstrates that further paint treatment or cleanup is required.

3. Dust Sampling for 2-year Certificate

Once all of the units subject to the chosen sampling method clear a visual assessment, the clearance evaluator may continue to dust sampling and analysis. The visual inspection and dust wipe collection and analysis can be done as many times as necessary to obtain a passing result before submitting to the City.

For the 2-year Certificate, dust wipe samples must be collected according to HUD Guidelines from the following areas and an exception list must be provided for



surfaces that are not tested, along with a narrative description of the reasoning for not including them:

- All painted or clear-stained interior and exterior surfaces, including ceilings and floors of each rental unit and building interior and exterior accessible by tenants of the rental unit(s);
- Attached or unattached structures located within the same parcel as the residential building; and
- Play equipment and fences.

The dust wipe samples must be analyzed by an EPA-recognized laboratory to complete a Report for submission to the City.

Conducting Clearance Sampling After a Failed Clearance Examination

Where sampled lead dust levels exceed the standards in O.A.C. 3701-32-19(F), cleaning of the failed surface (and any surfaces represented by the failed samples) must be repeated until clearance is achieved. The re-cleaning should be focused on those types of surfaces where the sampling results indicate that the first round of cleaning was inadequate. For example, if the results for floor dust wipe samples are above the clearance standard, but interior windowsill and window trough dust wipe samples are below the clearance standard, only the floors need to be re-cleaned. Therefore, if a dust wipe sample fails, then the failed surface(s) and all the unsampled surfaces the dust wipe sample represents need to be re-cleaned and re-tested. It is not necessary to resample any of the surfaces that previously passed clearance.

Dust samples must be taken to represent the rooms that were re-cleaned. Sampling of the re-cleaned surfaces is completed to ensure that the re-cleaning was sufficiently effective. In the second round of sampling, the clearance examiner should take dust wipe samples from floor, sill or trough locations that are different than the specific wipe locations in the initial round of sampling.

4. Lead Risk Assessment for 20-year Exemption Applications

In addition to a risk assessment that provides an investigation of the age, history, management, and maintenance of the dwelling, Lead Risk Assessors must provide the results of a visual assessment, a lead paint inspection, soil samples and analysis,



and XRF readings are required for a 20-year Lead Safe Certificate. In using an XRF machine for the risk assessment, the following areas must be tested and an exception list must be provided for all areas that were not tested along with a narrative description of the reasoning:

- Apartment Buildings: Greater than 4 units
 - All painted or clear-stained interior and exterior surfaces, including ceilings and floors, and all units chosen for testing as well as all common areas of the building;
 - Attached or unattached structures located within the same parcel as the residential building;
 - Play equipment and fences.

- 1-3 unit Structures
 - All painted or clear-stained interior and exterior surfaces, including ceilings and floors of each identified rental unit and building interior and exterior accessible by the tenants of the rental unit ;
 - Attached or unattached structures located within the same parcel as the residential units;
 - Play equipment and fences.

A Lead Risk Assessor must produce a report that identifies all readings generated directly from the XRF machine. The Lead Risk Assessor must also include a description of any abatement activities, if conducted, and a copy of the dust wipe and soil samples.

V. Submission of Applications for a Lead Safe Certification or a 20-year Exemption

	2-year Lead Safe Certificate	20-year Exemption
Single Unit Rental Properties	To submit an application, residential rental unit owners must fill out the form on the City's portal, Accela, available at: https://aca-prod.accela.com/COC/Default.aspx and provide either a Clearance Examination Report "evidencing	To submit an application, residential rental unit owners must fill out the form on the City's portal, Accela, available at: https://aca-prod.accela.com/COC/Default.aspx and provide a "comprehensive lead risk assessment and paint



	that lead hazards were not identified in the unit...."CCO § 365.04(b)(1).	inspection report, issued by a lead risk assessor verifying that the unit has been abated of lead hazards...." CCO § 365.04(c).
Multi-unit Rental Properties	For multi-unit rental properties, the Clearance Examination report must demonstrate that "lead hazards were not identified in the minimum number of units tested relative to the total number of units in the structure." CCO § 365.04(b)(2).	For multi-unit rental properties, the owner must provide a comprehensive lead risk assessment and paint inspection report that uses random sampling. CCO § 365.04(c).

VI. City Review of Applications

A. 2-year Lead Safe Certificate: 90 days prior to submission

The Lead Safe Ordinance in the City of Cleveland restricts the review of applications for a 2-year Lead Safe Certificate to those cleared 90 days prior to submission of the application. If a Report or Assessment is submitted that identifies lead hazards, the Certificate will be denied by the City. Deficiencies in applications may be corrected as described in section VI.C. and VI.D. of this Guidance document, but a Report or Assessment that identifies lead hazards should never be submitted to the City for approval.

B. 2-year Certificate & 20 year Exemption Processing Time

The City processes applications for 2-year Lead Safe Certificates and 20-year Exemptions on average over the life of the certificate program in under 30 days. An administrative or technical deficiency letter may impact the processing time of your application.

C. Administrative Review

1. Considerations

The City may consider the following in determining whether your application, including the associated Report, Risk Assessment, and Inspection, is complete:



- Identifying information, including owner name, address, email address, and phone number; parcel number; property address; responsible party; and rental registration number;
- Pictures of overall building condition and pictures of sampling locations;
- Visual assessment areas and any explanation,
- Narrative explanations exist for: multi-unit sampling methodology reasoning, visual assessment considerations;
- Clearance Technician, Lead Inspector, or Lead Risk Assessor Attestation that no lead hazards were identified; and
- Any other necessary evidence to consider the proper identification of lead hazards or the abatement of lead hazards.
- Copies of licenses and certifications for all lead service providers on the project

2. Deficiencies

If any administrative deficiencies are present, the City will not proceed to a technical review of the clearance examination, lead paint inspection, or risk assessment. Instead, the City will send an administrative deficiency letter⁷ to the property owner and Inspector that the administrative deficiencies need to be corrected within the balance of the 90 days allowed by City law to submit a final report.

3. Denial

If the City receives a submission that is not a clearance examination, lead paint inspection, exemption affidavit, or risk assessment, the application will be denied.

4. Reapplication

The owner may reapply for a lead safe certificate or 20-year Exemption if an application is denied for an administrative deficiency by providing an administratively complete clearance examination, lead paint inspection, or risk assessment.

⁷ Administrative deficiency letters have been termed “rejection letters” by Building & Housing in the past.



D. Technical Review

1. Considerations

Once administrative deficiencies have been addressed, the City will conduct a technical review of the clearance examination or Lead Risk Assessment. During that review, the City will consider this guidance, the HUD Guidelines, the Ohio Administrative Code, 40 CFR 745.227, and other applicable laws in determining whether the documentation provides sufficient evidence that lead hazards were not identified for a 2-year certificate or lead hazards were abated for a 20-year Exemption. These considerations may include, but are not limited to, the following:

- Testing methodology for multi-unit residential rental properties;
- Surfaces tested with XRF equipment;
- XRF calibrations;
- XRF Performance Characteristics Sheets;
- XRF manufacturer inspector training certificate;
- Un-edited Laboratory Analysis Reports;
- Property information completeness regarding number of buildings, number of units, type of units and other unique features of a property;
- Unit diagrams depicting stories, rooms, window and door location, and testing locations;
- **Color** photos depicting uncropped elevations, exterior yard, sampling locations and typical finishes;
- Copies of licenses and certifications for all lead service providers on the project;
- Requisite ODH forms filled out properly.

2. Deficiencies

If technical deficiencies are identified, the City will provide a description of those deficiencies in writing. The applicant will be provided a period of time to correct those deficiencies. Any new tests performed within the deficiency window, but outside of 90 days from the date of the original test, will be accepted.



3. Denial

If the application identifies lead hazards, but contains an attestation that the Report, Inspection, or Assessment does not identify lead hazards, the application will be denied.

4. Reapplication

The owner may reapply after denial or expiration of the deficiency time period with a new clearance examination, lead paint inspection, or risk assessment that was conducted within 90 days for a Lead Safe Certificate or within 20 years for an Exemption.



Appendix A: Types of Lead Reports

<u>REPORT TYPE</u>	<u>DESCRIPTION</u>	<u>ELEMENTS</u>
Clearance Examination	Visual examination and collection of lead dust samples by an inspector or risk assessor, or a clearance technician, and analysis by a EPA-recognized laboratory upon completion of an abatement project, interim control intervention, maintenance or renovation job that disturbs lead-based paint (or paint presumed to be lead-based.) For abatement projects, the clearance examination is performed to ensure that lead exposure levels do not exceed clearance standards established by the EPA at 40 CFR 45.227(e)(8)(viii); HUD's dust-lead standards for clearance after interim control projects are found at 24 CFR 35.1320(b)(2)(i).	<p>The following information on the clearance examination:</p> <ul style="list-style-type: none"> • Date of all clearance examinations. • Name, address, license number and signature of each person performing the clearance examination. • Findings of each visual assessment on a form prescribed by the director. • A diagram of the floor plan of the residential unit illustrating the location of each environmental sample collected. • Sample location and result of each dust sample analysis in micrograms per square foot. • Sample location and result of each soil sample analysis in parts per million or percent lead by weight. • Sample location, type, and result of each water sample analysis in parts per billion • Name, address, telephone and approval number of each lead analytical laboratory conducting the analysis of any environmental sample and a copy of the laboratory analysis results.
Risk Assessment	An on-site investigation of a residential dwelling to determine the	A risk assessment report must cover the following, at a minimum:

<p>existence, nature, severity, and location of lead-based paint hazards. Risk assessments, which must be conducted by a certified lead risk assessor, include an investigation of the age, history, management, and maintenance of the dwelling, and the number of children under age 6 and women of childbearing age who are residents; a visual assessment; limited randomized environmental sampling (i.e., collection of dust wipe samples, soil samples, and deteriorated paint samples); and preparation of a report identifying abatement and interim control options based on specific conditions.</p>	<ul style="list-style-type: none"> • Identification of the existence, nature, severity, source, and location of lead-based paint hazards, including soil and dust hazards as well as paint (or documentation that no such hazards have been identified). • Description of the options for controlling lead hazards in the event that hazards are found, including interim controls and abatement measures. • Suggestions on how to keep in a non-hazardous condition lead-based paint that will remain in a dwelling after present hazards are corrected. • Recommended changes to the management and maintenance systems. By considering all hazards and examining resident and owner practices, a risk assessor can determine appropriate ways to control hazards and modify management practices so that the chance of hazards recurring is reduced.
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REPORT TYPE	DESCRIPTION	ELEMENTS
<p>Lead-Based Paint Inspection</p>	<p>A surface-by-surface investigation to determine the presence of lead-based paint and the provision of a report explaining the results of</p>	<ul style="list-style-type: none"> • Who performed the inspection; • Date(s); • Inspector’s certification number; • Raw data report of all XRF readings; • Excluded Components list or table and explanation;



	the investigation. It is performed by a certified paint inspector or risk assessor.	<ul style="list-style-type: none"> • Classification of all surfaces into positive or negative categories, based on XRF; • XRF Performance characteristics Sheets. Specific information on the XRF; • Inspector manufacturer straining certification; • Housing unit(s) and sampling location identifiers; • Results of any laboratory analyses
Combination Lead-based Paint Inspection / Risk Assessment (LIRA)	See Above	<ol style="list-style-type: none"> 1. Disclosure Requirements for Residential Units 2. Background Information 3. Executive Summary 4. Identifying Information and Purpose of Lead Based Paint Inspection and Lead Risk Assessment 5. Identified Lead Paint Hazards 6. Excluded Components 7. Ongoing Monitoring 8. Disclosure Regulations 9. Conditions and Limitations 10. Site Information and Field Testing <ul style="list-style-type: none"> ○ Paint Sampling and Testing ○ XRF Lead-Based Paint Testing Results ○ Interior Dust Sampling and Laboratory Information ○ Soil Sampling and Laboratory Information ○ Water Sampling and Laboratory Information (if applicable—remove if not) ○ Paint Chip Sampling and Laboratory Information (if applicable—remove if not)



		<p>11. Lead Based Paint Hazard Control Options</p> <p>12. Appendices</p> <ul style="list-style-type: none">○ Appendix A XRF Sample Analytical Data○ Appendix B Dust Wipe Sample Analytical Data○ Appendix C Soil Sample Analytical Data○ Appendix D Water Sample Analytical Data (if applicable—remove if not; appendices will re-number themselves on document save or print)○ Appendix E Paint Chip Sample Analytical Data (if applicable—remove if not; appendices will re-number themselves on document save or print)○ Appendix F Site and Floor Plan○ Appendix G Building Conditions Survey – Form 5.1○ Appendix H Copy of Risk Assessor’s License/Certification○ Appendix I Copy of Firm’s Lead Activity License/Certification○ Appendix J Copy of XRF Training Certificate and XRF Performance Characteristic Sheet○ Appendix K: A Brief Glossary○ l. Appendix L Additional Lead and Lead Safety Resource Data○ m. Appendix M Resources for Additional Information on Lead-Based Paint and Lead-Based Paint Hazards
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Appendix B: Qualifications and Roles for Lead Service Providers

DISCIPLINE	SCOPE OF PRACTICE	PROHIBITIONS
Lead Risk Assessor O.A.C. 3701-32-07	<p>A Lead Risk Assessor is licensed to conduct:</p> <ul style="list-style-type: none"> • Lead inspections • Lead-based paint sampling • Clearance examinations • Lead risk assessments • Lead hazard screen risk assessments • Other lead assessment activities • Identify lead hazard control strategies to reduce or eliminate lead exposures 	<p>A Lead Risk Assessor shall not:</p> <ul style="list-style-type: none"> • Design lead abatement projects • Prepare pre-abatement plans • Write lead abatement specifications • Perform lead abatement
Lead Inspector O.A.C. 3701-32-06	<p>A Lead Inspector is licensed to perform:</p> <ul style="list-style-type: none"> • Lead inspections • Lead-based paint sampling • Clearance examinations. 	<p>A Lead Inspector shall not:</p> <ul style="list-style-type: none"> • Perform lead risk assessments, lead hazard screen risk assessments, or other lead assessment activities • Design lead abatement projects • Prepare pre-abatement plans • Perform lead abatement
Clearance Technician O.A.C. 3701-32-05	<ul style="list-style-type: none"> • A Clearance Technician is licensed to perform clearance examinations on non-abatement lead projects only 	<p>A Clearance Technician shall not design, perform, prepare, or provide advice on:</p> <ul style="list-style-type: none"> • Lead inspections • Lead-based paint sampling



		<ul style="list-style-type: none"> • Lead risk assessments, lead hazard screen assessments, or other lead assessments activities • Lead abatement projects. • Pre-abatement plans for designed abatement projects • Specifications for a lead abatement project • Lead abatement activities • A Clearance Technician shall not perform a clearance examination at a residential unit, childcare facility or school for the purpose of determining compliance with a lead hazard control order issued pursuant to rule 3701-30-09 of the Administrative Code
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DISCIPLINE	SCOPE OF PRACTICE	PROHIBITIONS
Lead Abatement Contractor O.A.C. 3701-32-08	<ul style="list-style-type: none"> • Conduct lead abatement • Provide professional advice regarding lead abatement • Supervise one or more Lead Abatement Workers • Write pre-abatement plans and lead abatement specifications 	A Lead Abatement Contractor shall not perform or provide advice on: <ul style="list-style-type: none"> • Lead inspections • Lead-based paint sampling • Clearance examinations • Lead risk assessments • Other lead assessment activity



	<ul style="list-style-type: none"> • Perform interim controls and paint stabilization. 	<ul style="list-style-type: none"> • Lead hazard screen risk assessments
Lead Abatement Worker (RRP) O.A.C. 3701-32-09	<ul style="list-style-type: none"> • Lead abatement • Interim controls • Paint stabilization 	<p>A Lead Abatement Worker shall not:</p> <ul style="list-style-type: none"> • Supervise lead abatement • Perform or provide advice on lead inspections • Perform or provide advice on lead-based paint sampling • Perform or provide advice on clearance examinations • Perform or provide advice lead risk assessments • Perform or provide advice on lead hazard screen risk assessments • Perform or provide advice on other lead assessment activity • Design lead abatement projects • Prepare pre-abatement plans

