

Maine Property Management Company Settles EPA Claims of Lead Paint Notification Violations

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(Boston, Mass. – April 12, 2011) – A residential property management company based in South Portland, Maine has agreed to pay a penalty of \$3,542 and will perform a lead abatement project valued at \$31,884 to settle EPA claims that it violated federal lead-based paint disclosure requirements at buildings in Freeport and Portland. These violations potentially put tenants at risk of exposure to lead hazards.

Preservation Management, Inc. provides residential property management services at approximately 70 properties, totaling about 7,000 housing units, in 13 states. The company manages almost 700 pre-1978 housing units in the New England states of Connecticut, Maine and New Hampshire.

According to allegations in a recent agreement, Preservation Management violated the federal Lead Disclosure Rule when it failed to disclose information about lead paint to eight tenants when leasing units at its Lafayette Square apartment building in Portland, and its Maplewood Terrace complex in Freeport. Specifically, Preservation Management failed to provide records or reports regarding lead hazards and to make sure that the lease included a statement disclosing the known or unknown presence of lead-based paint.

In addition, EPA alleged that, also at Lafayette Square, Preservation Management failed to provide a tenant with required information prior to renovation taking place.

In addition to paying the fine, Preservation Management will perform a lead abatement project at Lafayette Square, a 97-unit facility that has significant lead paint in its common areas. Specifically, the project will include removal of the trim from the 14 elevator doors, and removal of the interior trim from the 10 common area hallway windows. All abatement work will be performed in accordance with all applicable laws and regulations.

The Disclosure Rule is meant to give tenants adequate information about the risks associated with lead paint so that they can make informed decisions before signing a lease agreement. Similarly, the federal Pre-Renovation Rule is designed to inform tenants of potential lead hazards prior to renovation taking place.

Infants and young children are especially vulnerable to lead paint exposure, which can cause developmental impairment, reading and learning disabilities, impaired hearing, reduced attention span, hyperactivity and behavioral problems. Adults with high lead levels can suffer difficulties during pregnancy, high blood pressure, nerve disorders, memory problems and muscle and joint pain.

Federal law requires that property owners, property managers and real estate agents leasing or selling housing built before 1978 provide the following information to tenants and buyers: an EPA-approved lead hazard information pamphlet, called Protect Your Family from Lead in Your Home; a lead warning statement; statements disclosing any known lead-based paint and lead-based paint hazards; and copies of all available records or reports regarding lead-based paint and lead-based paint hazards. This information must be provided to tenants and buyers before they enter into leases or purchase and sales agreements. Property owners, property managers and real estate agents equally share responsibility for providing lead disclosure information and must retain copies of records regarding lead disclosures for three years.

More information:

[-Enforcing Lead-based paint disclosure requirements in New England](#)