Boston Landlord Faces Nearly $85K Penalty for Failure to Disclose Lead Paint to Tenants

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(Boston, Mass. – July 20, 2010) – A Boston landlord faces a penalty of $84,600 for charges by EPA that he violated federal lead paint disclosure rules at four of his apartments in Roxbury and Dorchester. These violations potentially put tenants at risk of exposure to lead hazards.

John C. Jones, who owns and manages at least eight properties with at least 19 rental units, is responsible for 14 violations of federal lead-based paint disclosure laws in four leases, according to EPA's New England regional office. The four rental properties involved were in Roxbury (20 Woodville Street, 48 Edgewater Street, and 25 Southwood Street) and in Dorchester (176-180 Quincy Street).

According to EPA, Jones failed to provide tenants with lead hazard information pamphlets and with reports pertaining to lead-based paint/paint hazards; failed to include lead warning statements in leases; failed to include a disclosure statement regarding lead-based paint/paint hazards or lack of knowledge thereof in leases; and failed to include lists of records pertaining to lead-based paint/hazards in leases.

The federal Disclosure Rule is meant to ensure that tenants get adequate information about the risks associated with lead paint before signing a lease.

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.

"Here in New England exposure to lead paint is a serious public health concern for kids, because so much of our housing was built before 1978 when

lead paint was banned," said Curt Spalding, regional administrator of EPA's New England office. "By providing the required lead paint notification to renters, landlords help prevent lead poisoning because then families are aware of potential lead hazards in homes and they can make informed decisions."

Federal law requires that property owners, property managers and real estate agents leasing or selling housing built before 1978 provide certain information to tenants and buyers, including: 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/or lead-based paint hazards; and copies of all available records or reports regarding lead-based paint and/or 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 keep copies of records regarding lead disclosures for three years.

More information: Lead paint disclosure enforcement in New England (www.epa.gov/ne/enforcement/leadpaint/index.html)

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