

NEW JERSEY LEAD SAFE CERTIFICATION LAW

Effective July 22, 2022

- New law ([S1147](#)) takes aim at lead paint and dust, the most common sources of exposure, by creating a new requirement that **any rental property in New Jersey built before 1978 be inspected for lead**. This closes a loophole in the state's existing lead testing regulations, which allowed single-family and two-family rental units to go without inspection.
- Beginning July 22, 2022, all NJ rental properties that are not exempt will be required upon their first turnover or within two years of the effective date to complete their Lead Safe Certification inspection.
- If your rental property is located in a municipality where more than 3% of the children 6 years of age and younger in the community have a blood lead level of equal to or greater than 5ug/dl the local agency or [NJ DCA Certified Lead Evaluation Contractor](#) shall inspect for lead-based paint hazards through dust wipe sampling in addition to a visual inspection for deteriorated painted surfaces.
- This inspection can only be done by 1) Municipal local agency inspection program, 2) a NJ DCA certified Lead Evaluation Contractor hired by the municipality OR 3) the property owner can hire directly a NJ DCA Certified Lead Evaluation contractor to provide the required inspection services. All of whom will assess a fee for the inspection services.
- If no lead-based paint hazards are found during the inspection, the local agency or the DCA certified lead evaluation contractor shall certify the dwelling unit as lead-safe on a form prescribed by the department of Community Affairs.
- If Lead based paint hazards are found, the lead evaluation contractor or permanent local agency shall notify the Commissioner of Community Affairs. And if found in a multi-family dwelling, all units must be tested. They must be properly addressed by either lead-based paint abatement or lead based paint hazard control methods. [Lead Abatement Contractors](#) must be certified.
- The law also requires that if lead is found, affected tenants are eligible to be moved into lead-safe housing with financial help from the state Department of Community Affairs.
- Upon completion of correcting any lead-based paint hazard identified during the visual Lead Safe Certification Inspection, the Lead evaluation contractor or permanent local agency shall conduct a follow up inspection (visual &/or dust

wipes) of the unit to certify that the hazard no longer exists. **Additional fees may apply.**

- Owners will be required to provide copies of all Lead Safe Certifications (per unit) and leases to the DCA inspector during their 5-year multiple dwelling inspection. They are also required to provide copies of a current or newly issued Lead Safe Certificate to new residents specific for the unit they will be renting as part of the lease documents. If a resident resides within the unit during the Re-Lead Safe Certification renewal cycle (3 years) the resident must sign a copy of the Lead Safe Certification and such documentation must be maintained
- Failure to comply with NJ Lead Safe Certification requirements can incur fines of up to \$1,000 per unit per week.

Exemptions

- **The property has been certified to be free of lead-based paint**
- **The property was constructed after 1978**
- **The rental unit is in a multiple dwelling that has been registered with the DCA as a multiple dwelling for at least 10 years, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the “Hotel and Multiple Dwelling Law”**
- **Is a single family or two-family seasonal rental dwelling which is rented for less than 6 months duration each year by tenants that do not have consecutive lease renewals.**
- **Has a valid lead safe certification issued by accordance with this section.**