

**641—69.3(135) Notification required in target housing.** A person who performs renovation, remodeling, or repainting of target housing for compensation, except for emergency renovation, remodeling, or repainting of target housing, and except for minor repair and maintenance activities that disrupt less than 1.0 square feet of painted surface, must do the following prior to commencing the work:

**69.3(1)** Provide the pamphlet, *Lead Poisoning: How to Protect Iowa Families*, or the federal pamphlet, *Renovate Right*, to the owner and adult occupant of each dwelling unit where renovation, remodeling, or repainting will be performed. The pamphlet shall be provided no more than 60 days prior to commencing the work.

**69.3(2)** Obtain a signed, dated acknowledgment from the owner and known adult occupant of each dwelling unit where renovation, remodeling, or repainting will be performed affirming that they have received the pamphlet prior to the start of renovation, remodeling, or repainting and are aware of the potential health hazards from remodeling, renovating, or repainting housing containing lead-based paint. The acknowledgment shall be obtained no more than 60 days prior to commencing the work.

*a.* The acknowledgment shall include the owner's and occupant's names and the address of the residential dwelling undergoing renovation, remodeling, or repainting.

*b.* The acknowledgment shall include the following language:

I have received the pamphlet entitled *Lead Poisoning: How to Protect Iowa Families* or the federal pamphlet, *Renovate Right*, prior to the start of renovation, remodeling, or repainting and am aware of the potential health risk associated with remodeling, renovating, or repainting housing containing lead-based paint or lead-based paint hazards.

*c.* Below the statement, the acknowledgment shall require the signature of the owner and occupant, along with their dates of signature.

*d.* If a signature cannot be obtained from an adult occupant, the person must certify in writing that the pamphlet has been delivered to the dwelling and that a written acknowledgment could not be obtained from an adult occupant. Such certification must include the address of the unit to be remodeled, renovated, or repainted, the date and method of delivery of the pamphlet, the name of the person delivering the pamphlet, the reason for lack of acknowledgment (e.g., occupant refuses to sign, no adult occupant available), the signature of the person conducting the renovation, remodeling, or repainting, and the date of signature.

*e.* The type shall be clear and legible.

*f.* The acknowledgment may be included as a separate sheet or as a part of any written contract or service agreement. The acknowledgment must be completed prior to commencing the work.

*g.* If the parties use a written contract or agreement which is written in a language other than English, the acknowledgment text shall be written in the same language as the text of the contract or agreement.

**69.3(3)** In lieu of delivering the pamphlet and written acknowledgment, the person conducting the renovation, remodeling, or repainting may obtain a certificate of mailing the pamphlet and written acknowledgment at least seven days prior to beginning the work.

**69.3(4)** If the general nature, location, and expected starting and ending dates of the planned renovation, remodeling, or repainting change after the initial notification has been conducted, the person conducting the renovation, remodeling, or repainting shall provide further notification to the owners and occupants providing revised information on the ongoing or planned activities. This subsequent notification must be provided before the person conducting the renovation, remodeling, or repainting initiates work beyond that which was described in the original notice.

[ARC 8501B, IAB 2/10/10, effective 1/13/10]