

**641—69.4(135) Notification required in multifamily housing.** A person who performs renovation, remodeling, or repainting of common areas 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:

**69.4(1)** Provide the pamphlet, Lead Poisoning: How to Protect Iowa Families, or the federal pamphlet, Renovate Right, to the owner of the multifamily target housing where renovation, remodeling, or repainting will be performed. The pamphlet shall be provided no more than 60 days prior to commencing the work.

**69.4(2)** Obtain a signed, dated acknowledgment from the owner of the multifamily target housing where renovation, remodeling, or repainting will be performed affirming that the owner has received the pamphlet prior to the start of renovation, remodeling, or repainting and is 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 name and the address of the multifamily 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, along with the date of signature.

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

*e.* 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.

*f.* 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.

*g.* Notify each occupant of the multifamily housing, in writing, of the intended remodeling, repainting, or renovation, and make the pamphlet, Lead Poisoning: How to Protect Iowa Families, or the federal pamphlet, Renovate Right, available upon request. At a minimum, this notification shall be accomplished by distributing written notice to each occupant of the target housing. The notice shall describe:

(1) The general nature and location of the planned renovation, remodeling, or repainting activity.

(2) The expected starting and ending dates of the planned renovation, remodeling, or repainting activity.

(3) A statement of how the owners and occupants can obtain the pamphlet, Lead Poisoning: How to Protect Iowa Families, or the federal pamphlet, Renovate Right, at no charge from the person conducting the renovation, remodeling, or repainting activity.

*h.* These activities shall be conducted by the person planning to perform the renovation, remodeling, or repainting, or by the owner on behalf of this person.

*i.* The person planning to perform the renovation, remodeling, or repainting must prepare, sign, and date a statement describing the steps performed to notify all occupants of the intended renovation, remodeling, or repainting, and to provide the pamphlet, Lead Poisoning: How to Protect Iowa Families, or the federal pamphlet, Renovate Right, at no charge upon request. Regardless of who performs the notification activities required in this subrule, the person planning to conduct the renovation, remodeling, or repainting shall be responsible for ensuring compliance with this subrule and shall be liable for any failures to comply with the notification requirements in this subrule.

**69.4(3)** In lieu of delivering the pamphlet and written acknowledgment to the owner, 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.

**69.4(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.

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