

State of New Jersey Lead-Safe Certification Guidance



City Of
ASBURY PARK
New Jersey

Background

- Passed by Governor Murphy on July 22, 2021. Bill takes effect on July 22, 2022 for all rental properties built before 1978.
- Requires a primary prevention inspection process for rental properties built before 1978 and requires landlords to have a current Lead Safe Certificate at rental turnover.
- Every 1-4 family rental dwelling will be initially inspected for lead based paint hazards at rental turnover, or, if there is no rental turnover, they must be inspected within two (2) years of the effective date of the bill.
- After initial inspection, rental properties to be inspected every **three (3) years**, or upon subsequent rental turnover, whichever is earlier.

Inspections

- Municipal Inspectors will examine rental dwellings for deteriorated paint or visible surface dust, debris, or residue.
- **Deteriorated paint** = Paint that is chipping, cracked, and peeling.
- Paint that is intact without any surface imperfections is not considered deteriorated paint.

Regulations

- Municipalities are **responsible** for inspection of lead-based paint hazards
- Responsible for maintaining lead-safe certificate records.
- Notwithstanding, a municipality **shall** permit the rental owner/landlord to directly hire a DCA-certified lead evaluation contractor to comply with these requirements.

Evaluation

- Lead Evaluation Contractors are firms certified by the NJ Department of Community Affairs to perform lead inspection and risk assessment work pursuant to N.J.A.C. 5:17. This includes the ability to perform dust wipe sampling. Only they can issue a Lead Safe Certificate to be filed with Asbury Park Code Enforcement Department as part of the permitting process of issuing Certificates of Occupancy for Rental Compliance and Transfers of Title.
- Asbury Park is required to maintain records of tenant turnovers, inspection schedules and inspection results.
- Asbury Park must maintain copies of all lead safe certificates issued by lead evaluation contractors.

Enforcement

- Asbury Park will have the state-mandated responsibility and authority to enforce owner/landlord compliance with the new law. Owners have 30 days to remediate and comply with any violations issued against them.
- All rental landlords must comply by October 1, 2022.

Exemptions

- Rental Units Built during or After 1978
- Rental Units that have been certified to be free of lead based paint.
- Rental units with current Lead Safe Certification issued pursuant to this act
- Seasonal Rentals
- Multiple Dwelling Units that have been inspected at least twice with no outstanding paint violations through the regular cyclical inspection

For More Information

Description, Resources and FAQs on new law:

- [NJ Lead-Safe Statute Text](https://bit.ly/3Axyxn)
- [Lead-Safe Certification FAQ's](https://bit.ly/3nL9YXi)
- [List of Certified Lead-Safe Contractors:](https://bit.ly/3bVD5Vc)

Additional questions?

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