

A woman with dark hair tied back, wearing a white lace top and a gold necklace, is speaking into a microphone. She is gesturing with her left hand. In the background, there is a wall covered in many small photographs and a table with water bottles. The image is framed by a large, light green, organic shape.

**YOUR RENTAL INSPECTION
POLICY CHEAT SHEET TO HELP
YOU FILL IN THE BLANKS**

USE THIS EASY REFERENCE GUIDE TO HELP YOU FILL IN THE BLANKS OF YOUR POLICY GENERATOR ON PAGES 7 AND 8.

Even when broken into small steps, it can be daunting to understand a proactive rental inspection policy. If you want additional insights and examples, please see Deep Dive Into the Policy at [BetterLeadPolicy.org](https://www.betterleadpolicy.org). The online version features specific examples from across the country.

Program Design

Which units are inspected?

- ➡ All rental housing (best practice, especially if addressing all housing hazards)
- ➡ Housing built before 1978 (best practice if only addressing lead)
- ➡ Exemptions (you must explain in your policy why exempting these properties will still accomplish the goal of reducing lead poisoning)
 - Common:
Owner-occupied or homes that have had full lead abatement
 - Use caution:
If exempting public housing or excluding big apartment complexes
 - Avoid:
Applying inspection rules to only housing where kids under 6 live



🔍 What do they look for?

➡ All lead sources (best practice)

- Risk assessment identifying locations of lead in paint, dust, soil
- Clearance examination including visual assessment, collection and analysis of environmental samples (performed by a clearance technician, lead inspector, or lead risk assessor)

➡ Lead Paint Only

- Visual inspection + dust wipe or dust wipe clearance (better practice)
- Visual only (not recommended because cannot detect lead dust)

➡ Other housing hazards (smoke detectors, mold, carbon monoxide)

Lead-only inspections can be done with third-party inspectors while housing code compliance must be government staff inspectors. Ensure this aligns with your answer to who does the inspection



☑ Who does the inspection?

- ➡ City inspects for lead and other hazards
- ➡ Landlords are responsible for getting third-party lead certification

Considerations

- ➡ Is your city too big for city staff to handle the inspections?
- ➡ Does your city already have a housing inspection program?
- ➡ Are you interested in only lead or other hazards as well (smoke detectors, mold) ?

Compare

City Does Inspections	Third-Party Inspections
High level control	Places burden on landlords to schedule and pay for inspection
Can cover housing hazards beyond lead	Low city staffing means lower cost for city
Inspectors may have leeway on enforcement	Can require more frequent inspections, which can lower cost of fixes between inspections
High level of staffing is costly	Risk of fraud
May be several years between inspections	Difficulty knowing whether landlords are doing it
Targeted inspections (rather than all rentals) may miss lead hazards	If private inspectors don't exist in the marketplace, it can be expensive

🕒 How often are the inspections?

- ➡ Periodic
 - Recommend: at least every 2 years
 - Caution: More than 2 years, change in tenants, or performance-based sliding scale
- ➡ Upon request — not recommended unless it is in addition to periodic inspections
- ➡ Recommend inspection period tied to the length of time the remediation/abatement will last (if the fix lasts 2 years, inspect every 2 years)
- ➡ Prioritization when rolling out program: highest-risk neighborhoods, those with complaints or those whose owners requested inspections. Roll out can help spread out inspection workload.

⚠️ What do you do if there is a lead hazard?

- ➡ Remediation = Interim control + dust clearance to minimize lead hazards. Cheaper but interim measures will eventually fail.
- ➡ Abatement = designed to permanently eliminate lead-based paint hazards. Designed to permanently address the lead problem, but often costly.
- ➡ If less than full abatement, inspection must be frequent enough to identify hazards before interim measures fail.
- ➡ Require lead-safe work practices: strongly recommend state or local requirements to comply with renovation, repair, and painting requirements. See page 19.
- Consult with a local lawyer to determine whether state laws limit local action.



Implementation, Accountability, and Enforcement

👁️ Require inspection as a condition of renting

Periodic rental inspections, in conjunction with some type of fee-based registration or certificate, help the city identify rental housing stock, identify where there are inspection needs, and fund the program.

📋 Types of registration or certificates

- ➡️ Certificate of Occupancy: renewable certificates coupled with inspections for compliance with the housing code protect health and preserve the property.
 - ➡️ Certificate of Compliance: indicates a property meets the housing code
 - ➡️ Rental Licensing: many require inspection as condition of valid license
 - ➡️ Lead-Free or Lead-Safe Certificate: property has been inspected for lead hazards
 - A lead-safe certificate means that a pre-1978 unit has a clearance examination report (valid for two years) indicating lack of lead hazards
 - Lead free = built after 1978 with full abatement of all hazards
 - ➡️ Rental Registration: requires landlords to register their rental units and pay a fee for the registration

Recommend: the landlord be required to designate actual person with a local physical address (or registered agent) to aid enforcement
- These approaches may often be combined.



Ensure adequate staffing and technology to support the program

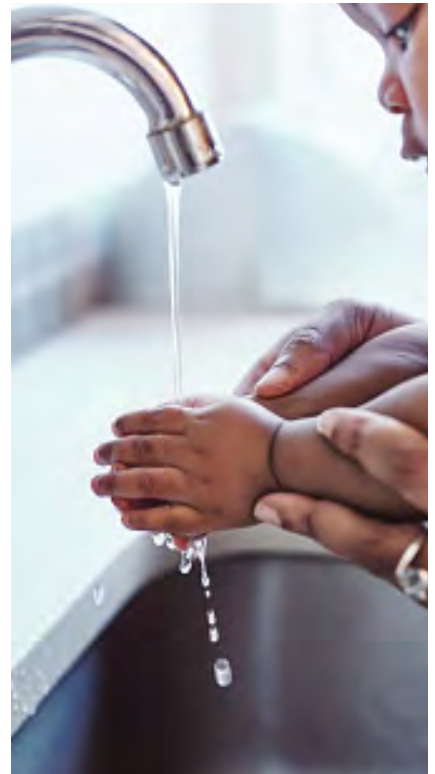
- ➡ Cities need adequate funding to support staffing levels to implement the program (enough inspectors if city-led inspections or enough enforcement staff if third-party inspections)
- ➡ If using third-party inspectors, take steps to ensure there are enough private companies to keep costs low
- ➡ Hire and train local community members to do the work and outreach; renters will trust them more and it's the right thing to do. A staggered compliance schedule can ensure there is a year-round work for inspectors and contractors.
- ➡ Consider employing technology — tablets and software programs speed up data collection, reduce paperwork, allow information to be mapped and shared publicly
- ➡ Hire administrative support staff so trained staff has more time for inspections and enforcement
- ➡ Create public database of rental units to help track compliance

Escalate administrative fines to fund the lead program

- ➡ Create mechanisms for the city to issue administrative penalties, like tickets with escalating fines, without requiring a legal conviction
 - Large escalating administrative fines for non-compliance
 - Assess penalties if owner fails to register a unit
 - If fines are too low, landlords may intentionally avoid compliance if the fine is less than the cost to fix the problem
- ➡ Establish mechanisms to collect the fines; many housing fines go uncollected
- ➡ Registration “meter maids” can look for noncompliance

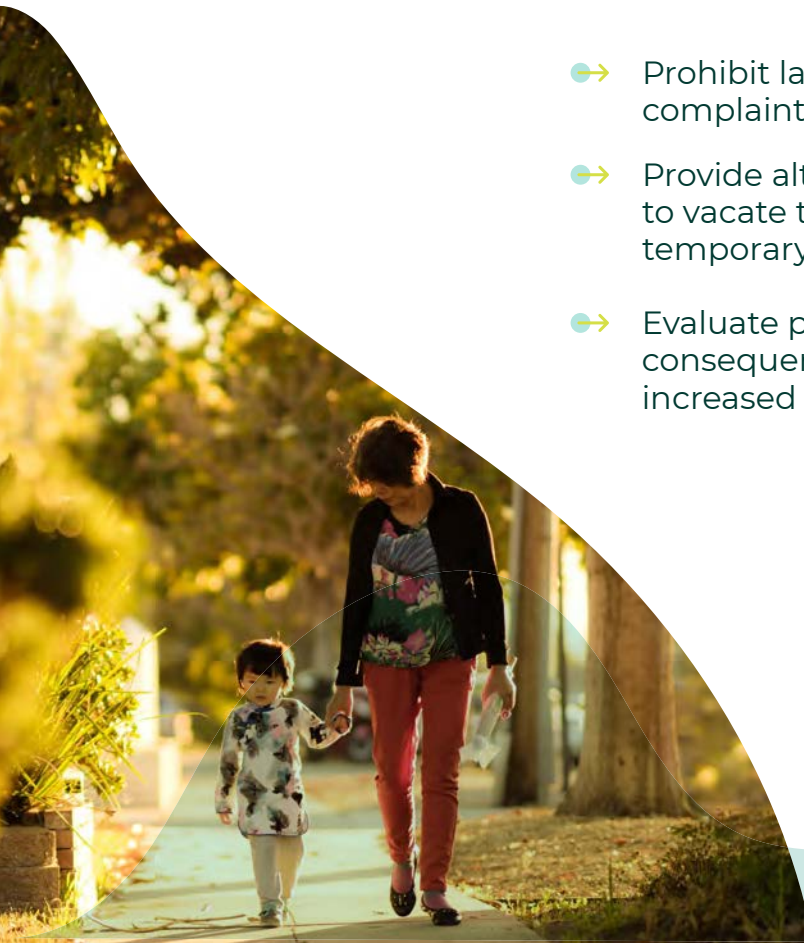
Legal mechanisms

- ➡ Allow tenants to sue landlords who violate the law
- ➡ Limit eviction proceedings to units with no violations
- ➡ Consider allowing non-profits to help tenants sue landlords
- ➡ Issue a vacate order when the city recognizes severe lead hazards that aren't addressed in a timely manner. This should require landlords to pay for alternate housing for the tenants.
- ➡ A specialized "lead court" can be helpful if the judge understands issues tenants face, provides free lawyers for tenants, and requires code compliance quickly



Additional Tenant protections

- ➡ Prohibit landlord retaliation when tenants make a complaint
- ➡ Provide alternate housing if repairs require tenants to vacate the apartment. Ideally this is city-provided temporary housing that landlords pay for
- ➡ Evaluate program for unintended adverse consequences such as displacement from housing, increased prices, or a shrinking rental market





📢 Make lead information for housing publicly available

- ➡ Link the city's online rental unit registration to a publicly accessible mapping system that also shows inspection results (and potentially other code violations)
- ➡ Consider a sticker system that uses color-coded stickers in front window showing registration and inspection expiration dates

📊 Reporting the numbers of inspections, results, and metrics to determine effectiveness

- ➡ Produce an annual report with the number of inspections, frequency of lead hazards, and other metrics posted on an easily accessible website
- ➡ Ensure third-party inspections are public, searchable and auditable
- ➡ Develop metrics to measure effectiveness, especially tracking blood lead results

🔧 Funding to help landlords afford repairs

- ➡ A revolving loan fund can assist struggling landlords with making repairs to their homes
- ➡ Public-private partnerships can bring money from the philanthropic community with an opportunity to work with landlords, not in opposition to them