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LANDLORD SENTENCED TO JAIL FOR LYING ABOUT LEAD PAINT HAZARDS

Case Is First Federal Prosecution For Violation Of Lead Hazard Warnings

WASHINGTON, D.C. - A Washington, D.C.-area landlord was sentenced today in U.S. District Court in Greenbelt, Md., to incarceration for two years for obstructing an investigation by the Department of Housing and Urban Development and making false statements to federal officials, in order to conceal his failure to notify tenants of the presence and hazards associated with lead-based paint. The case is the first-ever criminal prosecution in the United States related to failure to give lead hazard warnings that are required by the federal Lead Hazard Reduction Act of 1992.

David D. Nuyen, 65, of Silver Spring, Md., was also sentenced to pay a fine of \$50,000 by Judge Deborah K. Chasanow. As part of his guilty plea, Nuyen has provided all tenants with new notices about lead paint assessments performed by an independent contractor required under the terms of a plea agreement with prosecutors.

Nuyen has owned and managed approximately 15 low-income apartment buildings in the District of Columbia and Maryland. Nuyen admitted that he had notice of actual lead-paint hazards in one of his apartment buildings from District of Columbia lead inspectors, who informed him that they found lead in the building. However, Nuyen failed to disclose actual and potential lead hazards before leasing to tenants.

"Lead poisoning perils have long been known, and laws exist to protect people – especially children – from being exposed to lead hazards," said Tom Sansonetti, Assistant Attorney General in charge of the Justice Department's Environment and Natural Resources Division. "This case exemplifies our commitment to enforce the federal lead disclosure requirements to protect the public and our children from these unnecessary health risks."

"This case sends a message to landlords that they have a responsibility to warn their tenants of known lead hazards in their apartments," said Thomas M. DiBiagio, United States Attorney for the District of Maryland. "This office will aggressively prosecute those who lie and engage in obstructive conduct to

avoid the requirements of the Lead Hazard Reduction Act."

The Lead Hazard Reduction Act requires landlords to give tenants warnings, which can be done by using a standard disclosure form, about actual and potential lead paint hazards present in the property, and an EPA pamphlet about how to minimize the dangers to children. The law also directs landlords to document their compliance with the law by keeping lead disclosure forms and tenant signatures on file. Nuyen attended classes on the Act in 1997 and 1998 to fulfill his requirements to continue to be licensed as a realtor in Maryland and Virginia.

In September 1998, the Department of Housing and Urban Development (HUD) contacted Nuyen as part of a federal initiative to determine whether he was complying with the Lead Hazard Reduction Act. Nuyen had no lead paint disclosure forms at that time, but he arranged a subsequent meeting with HUD officials, in November 1998, in which he presented the agency with false and backdated forms at his office in Hyattsville, MD.

Nuyen admitted that he sought to obstruct the HUD investigation by backdating his signature, backdating tenant signatures, and directing tenants to backdate forms by entering the date they moved into their apartments, rather than the date they were actually warned about health risks, which was after they had moved in, according to a factual statement admitted in court. In some cases, the tenant signatures were signed by Nuyen's resident property managers. In the factual statement, Nuyen also admitted to asking tenants to sign false documents and to giving perjured testimony to a federal grand jury.

In addition to the obstruction of justice and false statements charges in Maryland, Nuyen was also sentenced on a companion case in the District of Columbia charging that he failed to provide the required lead warning and lead hazard pamphlet in violation of the Lead Hazard Reduction Act. He was also sentenced for a separate false statement to HUD in an application for approval to originate home mortgages that was uncovered during the investigation.

Lead poisoning is a significant health risk for young children. Although ingesting lead is hazardous to all humans, children under six years of age are at the greatest risk of lead poisoning because their bodies are still developing and because ordinary hand-to-mouth activity brings them into frequent contact with lead in paint chips, dust and soil. Lead adversely affects virtually every system of the body, and it can impair a child's central nervous system, kidneys and bone marrow. At high levels can cause coma, convulsions and death. Lead poisoning is especially acute among low-income and minority children living in older housing.

The investigation was conducted by the HUD Office of Inspector General, the EPA Criminal Investigation Division and the Federal Bureau of Investigation. The case was prosecuted by the U.S. Attorney's Office for the District of Maryland, U.S. Attorney's Office for the District of Columbia and the Environmental Crimes Section of the Justice Department's Environment and Natural Resources Division.

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EPA Files Complaint Against Landlord for Failing to Warn Tenants About Lead-Based Paint Hazards in Housing in MA, RI and CT

Contact: David Deegan, EPA Office of Public Affairs, (617) 918-1017, deegan.dave@epa.gov

For Immediate Release: June 29, 2005; Release #dd050610

The US Environmental Protection Agency is seeking cash penalties against a large Massachusetts-based landlord charged with violations of federal lead-based paint disclosure laws at hundreds of apartments in Massachusetts, Rhode Island and Connecticut.

In a complaint filed today, EPA's New England office charged Dr. Anthony Ping Zuo and his company, Great Wall Properties, with 64 violations of the federal Lead Disclosure Rule regarding properties owned and leased by Zuo and his company.

During the time period included in EPA's action, Zuo and Great Wall owned and leased 42 apartment buildings with 299 rental units in Massachusetts, Rhode Island and Connecticut. Eighty percent of the apartments where violations took place were in low-income neighborhoods in Chelsea, Roxbury, Lynn, Lawrence, Holyoke, Springfield and Fall River, Massachusetts; Providence, Rhode Island and Hartford, Connecticut. Many of the violations involved apartments occupied by families with young children. Each violation is subject to a civil penalty of up to \$11,000.

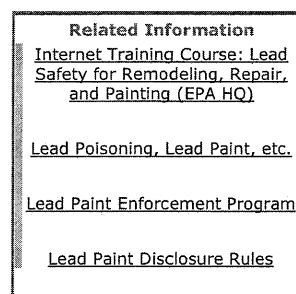
"Lead paint is a critical public health concern for children in New England," said Robert W. Varney, regional administrator of EPA's New England Office. "Property owners and managers must do their part to prevent lead poisoning by following lead paint disclosure requirements and making sure families are aware of potential lead hazards."

Infants and young children are especially vulnerable to lead paint exposure which can cause brain and nervous system damage, slowed growth, hearing problems, and behavior and learning problems. Adults with high lead levels can suffer difficulties during pregnancy, high blood pressure, nerve disorders, memory problems and muscle and joint pain.

According to EPA, Zuo and Great Wall failed to inform tenants of known lead-based paint and lead-based paint hazards; failed to provide tenants with copies of records and reports regarding lead-based paint and lead-based paint hazards and failed to provide tenants with EPA-approved lead hazard information pamphlets as required by the lead-based paint disclosure laws.

The case is among dozens of lead-related civil and criminal cases EPA New England has taken since launching an initiative to make sure property owners, property managers and real estate agents are complying with federal lead disclosure laws. The initiative has included hundreds of inspections in New England, as well as compliance assistance workshops.

Federal law requires that property owners, property managers and real estate agents leasing or selling housing built before 1978 must provide the following information to tenants and buyers: an EPA-approved lead hazard information pamphlet, called Protect Your Family from Lead in Your Home; a lead warning statement; statements disclosing any known lead-based paint and lead-based paint hazards; and copies of all available records or reports regarding lead-based paint and lead-based paint hazards. This



information must be provided to tenants and buyers before they enter into leases or purchase and sales agreements. Property owners, property managers and real estate agents equally share responsibility for providing lead disclosure information and must retain copies of records regarding lead disclosures for three years.

For more information on lead paint disclosure requirements and other issues regarding lead, visit the agency's web site at www.epa.gov/ne/topics/pollutants/lead.html.



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Reducing Kids' Exposure to Lead: Recent EPA Enforcement Actions in Region 9

Lead poisoning is one of the most serious environmental threats to children. Elevated blood lead levels can retard young children's mental and physical development. A primary means of exposure to lead is through peeling paint chips and paint dust in older housing. EPA is working with other state and federal agencies to protect children from exposure to lead-based paint present in homes and childcare facilities built before 1978.

National Links

EPA's National Toxics Web Sites:

[Asbestos](#), [Lead](#), [Mercury](#), [PCBs](#), [TRI](#) or, Browse EPA's [National Toxic Substances Pages](#), and [All EPA-Region 9 Press Releases](#)

EPA resolves claims against the Beaumont Company for violations of TSCA Lead Disclosure Rule (June 2005)

On June 10, 2005, Region 9 filed a Consent Agreement and Final Order ("CAFO") settling an administrative complaint filed on September 30, 2004, and twice amended, against The Beaumont Company ("Respondent"), a Los Angeles, California, property management company. The complaint as amended alleged twenty-eight counts of violation of Section 1018 of Title X of the Residential Lead-Based Paint Hazard Reduction Act of 1992, and its implementing regulations found at 40 C.F.R. Part 745 ("Lead Disclosure Rule"), in twelve separate written leasing transactions for the lease of units in various Southern California apartment buildings managed by Respondent during 1999. Since the apartment buildings were constructed prior to 1978, Respondent was subject to the requirements of the Lead Disclosure Rule in the leasing of the units. The violations include failure to provide a lead warning statement, failure to indicate the presence of lead-based paint or else state no knowledge of lead-based paint, failure to provide reports on lead-based paint if any, and failure to obtain signed and dated certifications from lessees that they received all of the necessary disclosures. Pursuant to the terms of the CAFO, Respondent agreed to pay a civil penalty of \$8,008 to resolve the violations. EPA did not plead a specific penalty in the complaints or its amendments. (Primary Contact: Ivan Lieben, ORC, ATWGL Branch, 415-972-3914).

- [View the press release](#)



Mr. Allen Wong agrees to pay a penalty and perform a Lead Abatement Project in Lead Disclosure Rule Settlement with EPA (June 2005)

On June 13, 2005, EPA Region 9 filed a combined Consent Agreement and Final Order ("CAFO") and administrative complaint agreed to by Mr. Allen Wong, a rental property owner living in San Jose, California, to resolve alleged violations of Section 1018 of Title X of the Residential Lead-Based Paint Hazard Reduction Act of 1992, 42 U.S.C. § 4852d, and its implementing regulations found at 40 C.F.R. Part 745 ("Lead Disclosure Rule"). The CAFO contained 292 counts of violations of the Disclosure Rule at 72 rental units owned by Mr. Wong in and around San Jose, California. The alleged violations, which occurred from 2000 to 2002, include failure to provide a lead warning statement, failure to indicate the presence of lead-based paint or else state no knowledge of lead-based paint, failure to provide reports on lead-based paint if any and failure to obtain signed and dated certifications from lessees for receipt of the disclosure information. Pursuant to the terms of the CAFO, Mr. Wong agreed to pay a civil penalty of \$15,393 to resolve the violations. Mr. Wong also agreed to pay no less than \$138,539 to perform a supplemental environmental project ("SEP") whereby Mr. Wong would perform lead inspections and assessments at certain of his properties and abate any hazards he discovered. In Phase I of the SEP, Mr. Wong will address 21 units. In Phase II of the SEP, Mr. Wong will address an undetermined number of additional units depending on the remaining SEP funds once the costs for Phase I are known. Rental units housing children age 6 and under and older rental units were given priority for the SEP. (Primary Contact: Ivan Lieben, ORC, ATWGL Branch, 415-972-3914).

- [View the press release](#)

EPA Settles Case Against Liberty National Enterprises, L.P.

On June 30, 2005, EPA Region 9 filed a Consent Agreement and Final Order ("CAFO") that initiated and resolved a civil administrative penalty action against Liberty National Enterprises, L.P. ("Liberty") for violations of the Toxic Substances Control Act through violation of Section 1018 of Title X of the Residential Lead-Based Paint Hazard Reduction Act of 1992 ("Section 1018"), 42 U.S.C. § 4852d, and its implementing lead disclosure regulations at 40 C.F.R. Part 745, Subpart F ("the Disclosure Rule"). The Disclosure Rule provides that, before a purchaser or lessee of target housing (housing built before 1978) is obligated to purchase or lease this housing, the seller, lessor or its agent must provide certain disclosures about lead-based paint and lead-based paint hazards. Liberty was the "lessor" of multi-unit, residential properties that constituted "target housing" located at 5555 East 14th Street ("East 14th Building") and 5353 East 22nd Street ("East 22nd Building") in Tucson, Arizona. Liberty failed to provide lessees of these buildings with an EPA-approved lead information pamphlet and failed to include a Lead Warning Statement as an attachment to or within the leases; a statement disclosing the presence of lead-based paint or indicating no knowledge as an attachment to or within the leases; a statement by lessee affirming receipt of information required by 40 C.F.R. §§745.113(b) and (c) and the lead hazard pamphlet as an attachment to or within the leases; a list of any records available regarding lead-based paint or a statement that no such records exist as an attachment to or within the leases; and the dated signatures of the lessor and lessees certifying to the accuracy of their statements required under 40 C.F.R. §745.113(b)(6). In total, these failures constituted 12 violations of the Disclosure Rule at the East 14th Building and 95 violations of the Rule at the East 22nd Building. Under the terms of the CAFO, Liberty must pay a civil penalty of \$13,675. (Contact: Carol Bussey in the ATWGL Branch at (415)972-3950)

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Connecticut Landlord Faces \$82,720 EPA Penalty for Violating Lead Paint Disclosure Requirements

Contact: Sheryl Rosner (rosner.sheryl@epa.gov), EPA Office of Public Affairs, (617) 918-1865

For Immediate Release: October 5, 2005; Release # sr051005

A property management company for seven apartment complexes in Connecticut has been issued a complaint seeking \$82,720 in penalties for violating federal regulations requiring disclosure of information about the presence of lead-based paint.

"Lead poisoning is a serious health threat for children in New England, because a large amount of housing is older and can contain lead paint," said Robert W. Varney, regional administrator for EPA's New England office.

- Related Information
Internet Training Course: Lead Safety for Remodeling, Repair, and Painting (EPA HQ)
Lead Poisoning, Lead Paint, etc.
Lead Paint Enforcement Program
Lead Paint Disclosure Rules

An August 2003 inspection of MCR's Hamden, Conn. office revealed that MCR and Brookside Commons, LP had withheld from a significant number of lessees information concerning the presence of lead-based paint and lead-based paint hazards in specific apartments in the Brookside Commons complex, located in East Hartford, Conn.

There were 164 confirmed cases of lead poisoning in children in Hartford and East Hartford in 2003, according to the U.S. Centers for Disease Control. Ingestion of lead from deteriorated or abraded lead-based paint is the most common cause of lead poisoning in children.

The case is among dozens of lead-related civil and criminal cases EPA New England has taken since moving to make sure

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property owners, property managers and real estate agents are complying with federal lead disclosure laws. The program has included hundreds of inspections in New England, as well as many compliance assistance workshops throughout England.

Federal law requires that property owners, property managers and real estate agents leasing or selling housing built before 1978 must provide the following information to prospective tenants and buyers: an EPA-approved lead hazard information pamphlet, called Protect Your Family from Lead in Your Home; a lead warning statement; statements disclosing any known lead-based paint and lead-based paint hazards; and copies of all available records or reports regarding lead-based paint and lead-based paint hazards. This information must be provided to prospective tenants and buyers before they enter into leases or purchase and sales agreements.

More information on lead in paint is available at:
<http://www.epa.gov/ne/enforcement/leadpaint/index.html>.

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Massachusetts Landlord to Pay Penalty and Take Steps to Reduce Risk of Lead Poisoning - EPA Settlement Affects Apartments in Springfield, Lawrence and New Bedford

Release date: 01/11/2006

Contact Information: David Deegan, 617-918-1017

(Boston, 01/11/06) - A Weston, Mass. landlord, Dr. Anthony Ping Zuo and Great Wall Properties, LLC, will pay a fine and take action to reduce the risk of lead poisoning in apartment units in Springfield, Lawrence and New Bedford. This settles EPA claims that he and his company violated lead paint disclosure laws at rental properties located in Massachusetts, Rhode Island and Connecticut.

Under the settlement, Dr. Zuo and Great Wall Properties will pay a \$17,800 fine, replace over 125 old windows and perform other projects to remove both interior and exterior lead hazards associated with over 20 apartments in the three Mass. communities. The window replacement and lead abatement projects will cost approximately \$179,000.

"Lead poisoning is a serious health threat for children in New England, because so much of our housing is older and may contain lead paint," said Robert W. Varney, regional administrator for EPA's New England office. "It is critically important that renters and buyers get the information they need to protect themselves and their children from potential exposure to lead paint. This is especially important for pregnant women and families with young children."

The violations were identified during the course of an investigation that EPA began in July 2003, and were included in a complaint filed in June 2005. EPA claimed that Dr. Zuo and Great Wall did not comply with federal laws that require property owners, managers and sellers to provide information about lead-based paint present in housing built before 1978.

Once Dr. Zuo and Great Wall learned of the lead disclosure laws during EPA's investigation, they took steps to comply with the lead disclosure law and worked cooperatively with EPA to reach a settlement.

The purpose of the Disclosure Rule is to provide residential renters and purchasers of pre-1978 housing with enough information about lead-based paint in general and known lead-based paint hazards in specific housing, so that they can make an informed decision about whether to lease or purchase the housing.

Federal law requires that sellers and landlords selling or renting housing built before 1978 must:

- provide a lead hazard information pamphlet that can help renters and buyers protect themselves from lead poisoning;
- include lead notification language in sales and rental forms;
- disclose any known lead-based paint and lead-based paint hazards in the living unit and provide available reports to buyers or renters;
- allow a lead inspection or risk assessment by home buyers;
- and maintain records certifying compliance with federal laws for a period of three years.

Under the terms of the EPA settlement, Dr. Zuo and Great Wall agreed to replace approximately 128 old windows, complete interior de-leading work in approximately 13 dwelling units and install new siding on the exterior of 3 apartment buildings in Springfield, Lawrence and New Bedford, Mass. The buildings were all constructed before 1950. Old windows are a major culprit in residential lead poisonings because the action of opening and closing windows can abrade lead-based paint on the windows, creating lead-containing dust. Loose lead-based paint present on interior surfaces is also a major contributor to residential lead poisonings. Lead-based paint present on the exterior of houses and buildings is a source of lead contamination in soils.

Childhood lead exposure is a particularly acute problem for urban children of low-income families who live in older housing. According to data published by the Massachusetts Department of Public Health Childhood Lead Poisoning Prevention Program, Springfield, Lawrence and New Bedford, Massachusetts, are all high risk communities for childhood lead poisoning. "High risk communities" are those whose rate of childhood lead poisonings exceed the overall state rate.

Infants and young children are especially vulnerable to lead paint exposure which can cause intelligence quotient deficiencies, reading and learning disabilities, impaired hearing, reduced attention span, hyperactivity and behavior problems. Pregnant women are also vulnerable because lead exposure before or during pregnancy can alter fetal development and cause miscarriages. Adults with high lead levels can suffer high blood pressure, nerve disorders, memory problems and muscle and joint pain.

For more information on lead hazard issues in New England, see: <http://www.epa.gov/ne/topics/pollutants/lead.html> .

For additional information on the lead-based paint disclosure rule, see: <http://www.epa.gov/ne/enforcement/leadpaint/index.html> .

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Mealey's Litigation Report: Lead

February 2006

15-4 Mealey's Litig. Rep. Lead 10 (2006)

SECTION: Volume 15, Issue #4

HEADLINE: Philadelphia Landlord Will Pay \$20,000 For Violations

DATELINE: PHILADELPHIA -

BODY:

The U.S. Environmental Protection Agency on Jan. 17 announced that it has reached a settlement with a Philadelphia landlord concerning alleged violations of federal lead paint disclosure laws.

William A. Rowell reached consent agreement and will pay a \$20,000 penalty for failing to comply with the Residential Lead-Based Paint Hazard Reduction Act and conduct abatement projects in 12 of his properties, at a cost of \$70,000.

The EPA cited Rowell for 48 violations of the act, involving 14 lease agreements for eight rental properties entered into between 2000 and 2004.

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LOAD-DATE: February 01, 2006



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Manchester, N.H. Landlord Charged With Failing to Warn Tenants About Lead Paint

Release date: 04/12/2006

Contact Information: David Deegan, (617) 918-1017

(Boston, Mass. - April 12, 2006) - EPA is seeking nearly \$60,000 in penalties from two Manchester, N.H.-based landlords for violations of federal lead paint disclosure laws. The violations potentially put families with young children at risk of exposure to lead hazards.

In the complaint, EPA's New England office alleges that William and Johanna Morin violated the federal Lead Disclosure Rule when they failed to disclose information about lead paint to tenants who rented the couple's apartments between July 2003 and July 2005. EPA is seeking a penalty of \$57,640 for the lead disclosure violations.

"Lead paint exposure is a serious public health concern for children in New England," said Robert W. Varney, regional administrator of EPA's New England office. "Property owners and managers play a large part helping to prevent lead poisoning by following lead paint disclosure requirements and making sure families are aware of potential lead hazards in homes."

During the time period subject to EPA's action, the Morins owned and rented 22 apartment buildings which contained 119 apartment units in Manchester, N.H. All of the apartments were in low-income and disadvantaged neighborhoods, where a disproportionate number of children suffer from lead poisoning.

Infants and young children are especially vulnerable to lead paint exposure, which can cause intelligence quotient deficiencies; reading and learning disabilities; impaired hearing; reduced attention span, hyperactivity and behavior problems. Adults with high lead levels can suffer difficulties during pregnancy, high blood pressure, nerve disorders, memory problems and muscle and joint pain.

The most significant violations alleged in EPA's complaint concern the Morins' failure to provide a tenant with copies of records and reports regarding lead-based paint and lead-based paint hazards and failure to provide tenants with EPA-approved lead hazard information pamphlets, as required by federal lead-based paint disclosure laws.

According to Mary Ann Cooney, of the N.H. Dept. of Health and Human Services, the New Hampshire Childhood Lead Poisoning Prevention Program has been actively working with EPA in an effort to support the enforcement of lead paint regulations and to meet the national goal of eliminating lead poisoning by 2010.

This case is among dozens of lead-related civil and criminal cases EPA New England has taken as part of a collaborative effort between federal, state and municipal agencies and grassroots organizations to make sure property owners, property managers and real estate agents are complying with federal lead disclosure laws. EPA has conducted hundreds of inspections in New England, and, in collaboration with its partners, has conducted numerous compliance assistance workshops.

Federal law requires that property owners, property managers and real estate agents leasing or selling housing built before 1978 provide the following information to tenants and buyers: an EPA-approved lead hazard information pamphlet, called *Protect Your Family from Lead in Your Home*; a lead warning statement; statements disclosing any known lead-based paint and lead-based paint hazards; and copies of all available records or reports regarding lead-based paint and lead-based paint hazards. This information must be provided to tenants and buyers before they enter into leases or purchase and sales agreements. Property owners, property managers and real estate agents equally share responsibility for providing lead disclosure information and must retain copies of records regarding lead disclosures for three years.

More EPA information on lead paint disclosure requirements and other issues regarding lead: <http://www.epa.gov/ne/topics/pollutants/lead.html>

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Rhode Island Landlord to Pay Penalty and Take Steps to Reduce Risk of Lead Poisoning

Release date: 04/18/2006

Contact Information: David Deegan, (617) 918-1017

(Boston, Mass. - April 18, 2006) – Providence, R.I. landlords Peter and Lillian Marinucci will pay a fine and take action to reduce the risk of lead poisoning in apartment units in Providence. This settles EPA claims that the Marinuccis violated lead paint disclosure laws at rental properties they own and manage.

Under the settlement, the Marinuccis will pay a \$6,207 fine, replace 124 old windows and 62 old doors presumed to contain lead-based paint in a number of Providence, R.I. properties. The window and door replacement and other lead abatement projects will cost approximately \$60,000.

"Lead poisoning is a serious health threat for children in New England, because so much of our housing is older and may contain lead paint," said Robert W. Varney, regional administrator for EPA's New England office. "It is critically important that renters and buyers get the information they need to protect themselves and their children from potential exposure to lead paint. This is especially important for pregnant women and families with young children."

The violations were identified during the course of an investigation that EPA began in June 2005, and were included in a complaint filed in January 2006. EPA claimed that the Marinuccis did not comply with federal laws that require property owners, managers and sellers to provide information about lead-based paint present in housing built before 1978.

Once the Marinuccis learned of the lead disclosure laws during EPA's investigation, they took prompt action to comply with the lead disclosure law and worked cooperatively with EPA to reach a speedy settlement.

The purpose of the Disclosure Rule is to provide residential renters and purchasers of pre-1978 housing with enough information about lead-based paint in general and known lead-based paint hazards in specific housing, so that they can make an informed decision about whether to lease or purchase the housing.

Federal law requires that landlords and sellers renting or selling housing built before 1978 must:

- provide a lead hazard information pamphlet that can help renters and buyers protect themselves from lead poisoning;
- include lead notification language in sales and rental forms;
- disclose any known lead-based paint and lead-based paint hazards in the living unit and provide available reports to renters or buyers;

- allow a lead inspection or risk assessment by home buyers;
- and maintain records certifying compliance with federal laws for a period of three years.

Under the terms of the EPA settlement, the Marinuccis agreed to replace 124 old windows and 62 old doors in a number of apartments and install new siding on the exterior of one apartment building in Providence, R.I. The buildings were all constructed before 1950. Old windows and doors are major culprits in residential lead poisonings because the action of opening and closing windows and doors can abrade lead-based paint, creating lead-containing dust. Lead-based paint present on the exterior of houses and buildings is a source of lead contamination in soils.

Infants and young children are especially vulnerable to lead paint exposure which can cause intelligence quotient deficiencies, reading and learning disabilities, impaired hearing, reduced attention span, hyperactivity and behavior problems. Pregnant women are also vulnerable because lead exposure before or during pregnancy can alter fetal development and cause miscarriages. Adults with high lead levels can suffer high blood pressure, nerve disorders, memory problems and muscle and joint pain. Childhood lead exposure is a particularly acute problem for urban children of low-income families who live in older housing.

For more information on lead hazard issues in New England, see:
<http://www.epa.gov/ne/topics/pollutants/lead.html> .

For additional information on the lead-based paint disclosure rule, see:
<http://www.epa.gov/ne/enforcement/leadpaint/index.html> .

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Former Renton, WA Landlords cited for serious violations of Federal Lead Rules

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Tenants not informed of lead paint hazards; residents included young children

(Renton, WA. - May 2, 2006) The U.S. Environmental Protection Agency (EPA) has filed a complaint against former Renton landlords Stanley Xu and Longwell Company, alleging they failed to notify their tenants that lead-based paint could pose serious health threats to children or pregnant women. Longwell Company managed the Sunset Vista Apartments located at 10406 SE 174th in Renton, WA. Each violation carries a maximum penalty of \$11,000.

EPA's complaint alleges the named parties committed 60 violations of the *Residential Lead-Based Paint Hazard Reduction Act of 1992 and Disclosure Rule* for violations including:

- failure to provide tenants with a *Lead Warning Statement* disclosing the health hazards associated with lead-based paint and/or lead-based paint hazards;
- failure to notify the tenants of either the presence of known lead-based paint and/or lead-based paint hazards or a lack of knowledge of such presence;
- failure to provide any records or reports to the tenants regarding lead-based paint and/or lead-based paint hazards or a statement that no such records exist;
- failure to provide signatures of the landlord and tenants certifying to the accuracy of their statements along with the dates of signature; and
- failure to provide their tenants with the EPA-approved lead information pamphlet entitled *Protect your Family from Lead in Your Home* and a statement affirming receipt of the EPA-approved lead information pamphlet.

"Lead poisoning in children from deteriorating paint is especially tragic because it can be avoided," said Rick Albright, Director, Air, Waste & Toxics, EPA Region 10 Seattle. "Landlords, owners and property management companies must take seriously their obligations to inform parents how to protect their children from the hazards associated with the lead-based paint and lead-based paint hazards."

The Sunset Vista Apartments are considered by the EPA and the U.S. Department of Housing and Urban Development to be "target housing" - which includes most dwellings built prior to the 1978 Consumer Products Safety

Commission ban on the manufacture and sale of lead-based paint. The federal lead-based paint and/or lead-based hazards Disclosure Rule requires sellers, owners and lessors, including property management firms, of pre-1978 rental housing to provide disclosures and other information to tenants prior to entering into a lease to enable the tenants to make informed decisions about protecting their children and themselves from lead-based paint and lead-based paint hazards.

Lead is a highly toxic metal that was used for many years in products found in and around our homes. Lead may cause a range of health effects, from behavioral problems and learning disabilities, to seizures and death. Children six years old and under are most at risk, because their bodies are growing quickly.

Related Links:

[Lead Information \(epa.gov/lead/\)](http://epa.gov/lead/)
[Pre-Renovation Lead Information Rule \(epa.gov/lead/pubs/leadrenf.htm\)](http://epa.gov/lead/pubs/leadrenf.htm)
[Residential Lead-Based Paint Disclosure Program \(epa.gov/lead/pubs/leadbase.htm\)](http://epa.gov/lead/pubs/leadbase.htm)

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