

## *Where should I perform* Essential Maintenance Practices?

EMPs should be conducted on the interior and exterior of the property. The property owner shall also address any other structures on the property, such as a garage or out-building. Fences, play equipment or other fixtures on the lot or land where the property is located shall also be assessed.

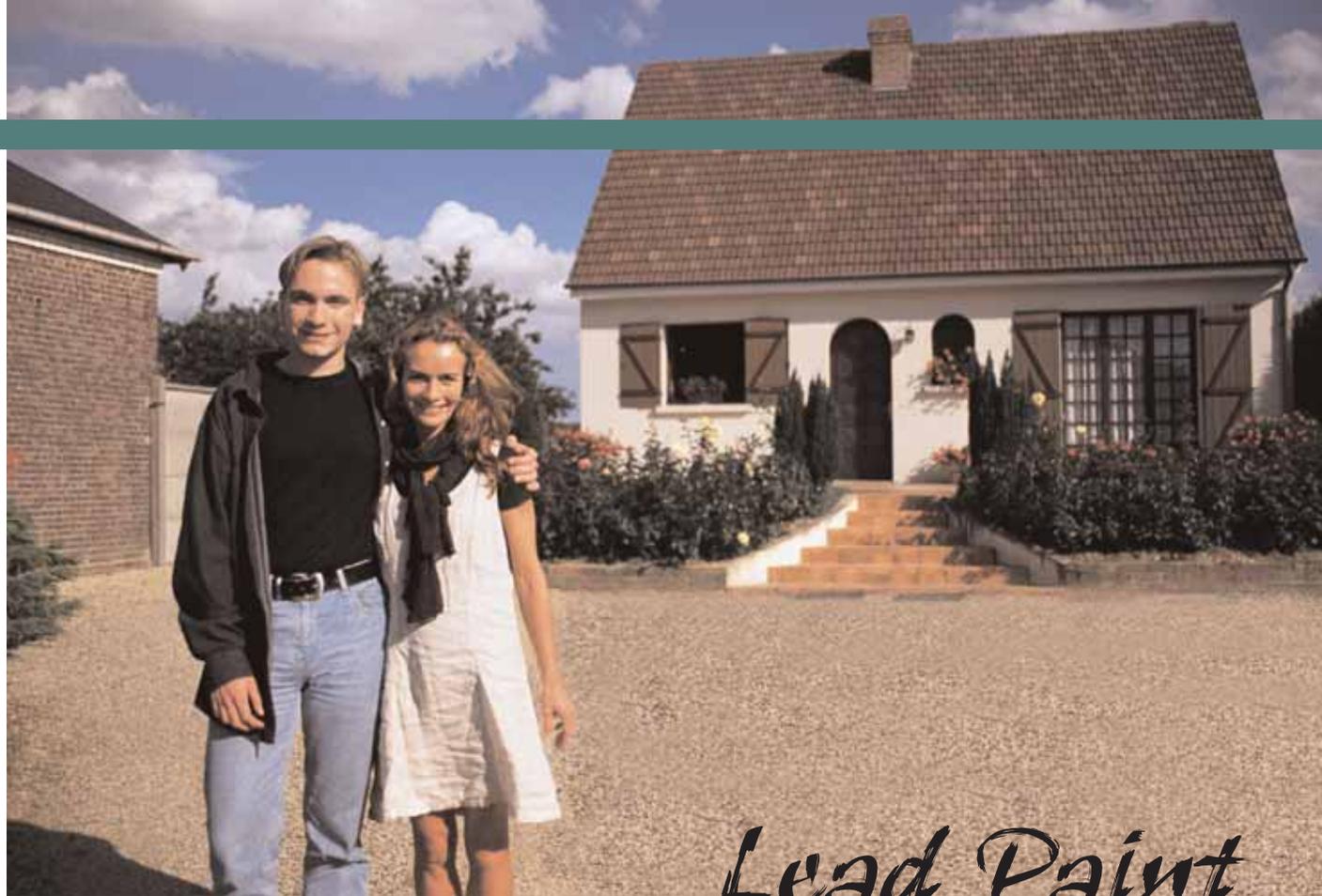
## *Federal requirements* for property owners

Property owners are also reminded that regardless of whether essential maintenance practices are implemented on a property you own, federal law requires that individuals receive certain information before renting, buying or renovating pre-1978 housing.

Landlords have to disclose known information on lead-based paint and lead-based paint hazards before leases take effect. Leases must include a disclosure about lead-based paint.

Sellers have to disclose known information on lead-based paint and lead-based paint hazards before selling a house. Sales contracts must include a disclosure about lead-based paint. Buyers have up to 10 days to check for lead.

Renovators disturbing more than two square feet of painted surfaces have to give you this pamphlet before starting work.



# *Lead Paint*

## Essential Maintenance Practices

### *What it means* to property owners



### **Ohio Department of Health Lead Poisoning Prevention Program**

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## *The dangers of lead paint*

Many houses built before 1978 have paint that contains lead. Lead from paint, chips and dust can pose serious health hazards if not taken care of properly.

One out of every 11 children in the United States has dangerous levels of lead in their bloodstream. Lead is even more dangerous to children than adults because children's growing bodies absorb more lead.

Lead dust can form when lead-based paint is dry scraped, dry sanded or heated. Dust also forms when painted surfaces bump or rub together. Lead can also be found in soil and become a hazard to children when people bring soil into the house on their shoes.

## *What are Essential Maintenance Practices?*

Essential maintenance practices (EMPs) are a set of procedures that keep all painted surfaces in a lead-safe condition and reduce the possibility of exposure to lead hazards.

These procedures consist of work practices to maintain the painted surfaces of the property, and a system of record keeping that documents the required maintenance for the property.



## *Why perform Essential Maintenance Practices?*

The use of EMPs benefits you as a home owner or as a property owner in two ways:

- Using EMPs minimizes the possibility of exposure to lead dust for you, your family, or your tenants and their families.
- Properly employing EMPs allows you to gain Rebuttable Presumption that your property did not cause a child's lead poisoning.

## *What does Rebuttable Presumption mean?*

Rebuttable presumption is a legal term that means if EMPs have been performed on a property, the property is assumed by the court to NOT be the possible source of a child's lead poisoning, unless proven otherwise. By properly performing EMPs on a property, the property has rebuttable presumption that the property did not cause a child's lead poisoning. Records shall be maintained detailing that essential maintenance practices have been performed. An annual clearance examination must be performed and the records of the clearance examination maintained to keep the rebuttable presumption.



## *Am I required to be licensed to perform Essential Maintenance Practices?*

A license is not required to perform EMPs. However, anyone who performs EMP must attend a six-hour training course approved by the Ohio Department of Health (ODH). All individuals wishing to perform EMP must take the EMP training course. Link to ODH's Web site at <http://www.odh.ohio.gov> to obtain a list of EMP training course providers.

## *How do I perform Essential Maintenance Practices?*

A property owner who wishes to obtain a rebuttable presumption shall perform the practices listed in Ohio Administrative Code rule 3701-32-17. A checklist has been created by the ODH that assists property owners in meeting these requirements. Most importantly, the property owner shall document the practices by completing an affidavit of completion. The checklist and affidavit accompany this brochure.