

OMB Control Number 2070-0151; EPA ICR Number 1710.05

ICR ATTACHMENT 4

Copy of Consultations Message Sent by EPA to Potential Respondents;

Copy of Response to Consultations

Information Collection Request

Public Consultations

US Environmental Protection Agency (EPA) is seeking your assistance with collecting data and information which impacts the members of your organization. This information also has a direct impact on government efficiency. Please complete the questionnaire as thoroughly as possible to represent your organizations' viewpoint about a regulation that directly affects your members.

The regulation of interest is titled "Disclosure of Known Lead-Based Paint and/or Lead-Based Paint Hazards Upon Sale or Lease of Residential Property," and requires sellers to hand out a lead hazard information pamphlet "Protect Your Family From Lead in Your Home" to potential buyers and lessees of pre-1978 housing. Also, the property owner and/or landlord must give information about the presence of lead-based paint and lead-based paint hazards to the potential buyer and lessees. A signed disclosure form by purchasers and/or tenants must be filed and maintained for 3 years. Please provide answers EPA by 06-29-2007. Thanks again for your assistance.

Sincerely,

John D. Wilkins
Environmental Protection Specialist
wilkins.john@epa.gov

Lead-Based Paint Disclosure Rule Summary

Disclosure of Known Lead-Based Paint (LBP) and/or Lead-Based Paint Hazards Upon Sale or Lease of Residential Property

1. Requires disclosure of all known LBP and/or LBP hazards to parties by sellers and lessors before the selling or leasing of target housing (pre-1978) occurs;
2. Disclosure includes any and all information such as LBP inspection reports and LBP risk assessments, EBL reports other data etc.;
3. This disclosure activity is required of sellers, lessors, buying, selling and leasing agents;
4. Records of these disclosure activities must be kept by sellers, lessors and agents for a minimum of 3 years;
5. Records include signed and dated disclosure forms and a list of available records and reports, and;
6. Exceptions to the rule include homes undergoing foreclosure, homes with a LBP-free certificate issued by a certified LBP inspector, short-term leases (100 days or less) with no extensions or renewals, and lease renewals, where there is no additional information to disclose.

Lead-Based Paint Disclosure Regulation ICR Renewal Questionnaire

Time and Cost Burden:

1. How much time does it take for you or your staff to distribute the lead hazard information pamphlet, and give the Lead-Based Paint and Lead-Based Paint Hazard reports to potential buyers and potential lessees?
2. Do you encounter a financial burden in acquiring, or printing/photocopying, or maintaining an inventory of lead hazard information pamphlets and copies of reports related to Lead-Based Paint and Lead-Based Paint Hazards?
 - a. If so, what is the financial burden to you?
3. Do you understand that you are required to maintain in your records for 3 years, copies of the acknowledgment forms/receipts, and lead related certifications that the buyers or lessees are required to receive?
4. How much time does it take for you or your staff to document and file acknowledgment forms/receipts, and lead related certifications?
5. Do you encounter a financial burden maintaining these acknowledgment forms/receipts, and lead related certifications, and copies of reports related of Lead-Based Paint and Lead-Based Paint Hazards?
 - a. If so, what is the financial burden to you?
6. Do you have any other suggestions or comments on how to proceed with the disclosure of the information required above?
7. How much time did it take you and your staff to understand your responsibilities and the actions which must occur before any sale or lease of target housing?

Frequency of Information Collection:

Think about how the Agency uses the data and how often the Agency really needs to collect them.

8. How often should the Agency collect the data?
9. Should the data be collected annually, every 2 or 3 years?

Electronic Reporting and Recordkeeping:

10. Are you interested in using, or are you currently utilizing, electronic reporting/recordkeeping options?
11. In your opinion, should EPA consider a way to secure electronic records submitted by the public?
12. Do you prefer one method to another? For example, do you prefer electronic Private Key use compared to electronic passwords etc.?
13. In question 12, does your preference balance burden and cost with security.

Organization Name: National Association of Independent Landlords

Point of Contact: Tracey Benson

Date: 6/30/07

Check here if no knowledge of this regulation _____

Lead-Based Paint Disclosure Regulation ICR Renewal Questionnaire

Time and Cost Burden:

1. How much time does it take for you or your staff to distribute the lead hazard information pamphlet, and give the Lead-Based Paint and Lead-Based Paint Hazard reports to potential buyers and potential lessees? **We distribute multiple forms and we distribute the Lead Based Paint Disclosure form with our forms. Landlords are then directed to your site to get the pamphlet. The form takes about 10 hours a week. We have thousands of landlords who join in the United States weekly.**

2. Do you encounter a financial burden in acquiring, or printing/photocopying, or maintaining an inventory of lead hazard information pamphlets and copies of reports related to Lead-Based Paint and Lead-Based Paint Hazards?

a. If so, what is the financial burden to you? **Approximately \$25 weekly for the Disclosure form.**

3. Do you understand that you are required to maintain in your records for 3 years, copies of the acknowledgment forms/receipts, and lead related certifications that the buyers or lessees are required to receive? **No, we do not maintain the forms, the landlords do, but we will inform them of this rule. They have a direct link to your website on our website and are encouraged to read this information.**

4. How much time does it take for you or your staff to document and file acknowledgment forms/receipts, and lead related certifications? **The landlords maintain it individually.**

5. Do you encounter a financial burden maintaining these acknowledgment forms/receipts, and lead related certifications, and copies of reports related of Lead-Based Paint and Lead-Based Paint Hazards? **No**

a. If so, what is the financial burden to you?

6. Do you have any other suggestions or comments on how to proceed with the disclosure of the information required above?

7. How much time did it take you and your staff to understand your responsibilities and the actions which must occur before any sale or lease of target housing? **About 15 minutes per employee during training.**

Frequency of Information Collection:

Think about how the Agency uses the data and how often the Agency really needs to collect them.

8. How often should the Agency collect the data? N/A

9. Should the data be collected annually, every 2 or 3 years? N/A

Electronic Reporting and Recordkeeping:

10. Are you interested in using, or are you currently utilizing, electronic reporting/recordkeeping options? N/A

11. In your opinion, should EPA consider a way to secure electronic records submitted by the public? N/A

12. Do you prefer one method to another? For example, do you prefer electronic Private Key use compared to electronic passwords etc.?

13. In question 12, does your preference balance burden and cost with security.