



# West Windsor Township

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## Lead-safe Housing Program

March 14, 2024

Subject: New Requirements for Rental Properties  
Lead-Safe Residential Rental Inspection Requirements

Dear Property Owner,

You are receiving this letter because Township records indicate you own a residential property constructed prior to 1978 which may be subject to new regulations. Effective July 22, 2022, *New Jersey P.L. 2021, Chapter 182* requires inspection of certain rental dwellings for lead paint hazards. The law requires municipalities ensure certain single-family, two-family and multiple unit rental dwellings are inspected and certified as lead-safe prior to July 22, 2024, or at time of tenant turnover, whichever occurs earlier.

Properties which are not rented, or rented in the future, are not impacted by the requirements outlined in this letter. However, lead paint may be present in homes constructed prior to 1978. Homeowners may review the following website to learn how to prevent lead paint exposures in the home:

<https://www.epa.gov/lead/lead-renovation-repair-and-painting-program>

Some rental properties are exempt from the new regulations. Exempt properties include:

- Dwellings that were constructed during or after 1978.
- Single-family and two-family seasonal rental dwellings which are rented for less than six-months duration each year by tenants that do not have consecutive lease renewals.
- Dwellings that have been certified to be free of lead-based paint pursuant to N.J.A.C. 5:17-3.6(b).
- Multiple rental dwellings that have been registered with the Department of Community Affairs for at least ten years and have no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the “Hotel and Multiple Dwelling Law” (N.J.S.A. 55:13A-1).

All rental properties which are non-exempt must be inspected and file an initial “lead-safe certification” or “lead-free certification” with the West Windsor Township Lead-Safe Rental program prior to July 22, 2024. If tenant turnover occurs prior to July 22, 2024, the property owner shall comply with the inspection and certification process prior to change of occupancy. Following the initial certification, the

process must be renewed within three years, or at time of tenant turnover if the lead-safe certificate is expired.

There are two pathways available for property owners to obtain inspections and achieve compliance.

Option A. Hire a private certified lead evaluation contractor to perform the inspection and issue the lead-safe or lead-free certification. A list of currently certified lead evaluation contractors is available through the New Jersey Department of Community Affairs website at [https://www.nj.gov/dca/codes/offices/leadhazard\\_abatement.shtml](https://www.nj.gov/dca/codes/offices/leadhazard_abatement.shtml)

Following receipt of the lead-safe certification issued by your contractor, owners must file the documentation with the Township prior to July 24, 2024, or at time of tenant turnover, whichever occurs earlier. Certifications must be filed with the Township along with a completed *Lead-Safe Rental Filing* form and applicable fee. Pursuant to N.J.S.A. 52:27D-437.16(h), \$20 per unit assessment of the municipal filing fee is forwarded the State of New Jersey for the Department of Community Affairs (NJCA) Lead Hazard Control Assistance Fund.

Option B. Request a Township-facilitated inspection. Requests for initial inspection must be submitted to the Lead-Safe Rental Program in writing prior to April 1, 2024 or a minimum of 20 business days prior to date of tenant turnover. We are currently in the process of developing a listing of all owners of rental units seeking to follow Option B. Once initiated, the Township's contracted firm will provide further direction to property owners regarding scheduling the site visit, required fees and details on the certification process.

If lead-based paint hazards are identified during inspections, the owner of the dwelling must remediate the hazards through abatement or lead-based paint hazard control mechanisms in accordance with N.J.S.A. 52:27D-437.16(d) and N.J.A.C. 5:28A-2.5 prior to the issuance of a lead-safe or leaf-free certification. This will involve site work, additional inspection and fees.

Additional information is available at: New Jersey Department of Community Affairs  
<https://www.nj.gov/dca/codes/resources/leadpaint.shtml>

Act now to ensure all rental properties under your ownership and subject to these regulations file a lead-safe or lead-free certification with the Township prior to July 22, 2024, or at tenant turnover, whichever occurs earlier. The Township is required by the state law to take enforcement action for non-compliant properties.

In addition, the Township requests all landlords voluntarily update the *Landlord Identity Statement* with the municipal Clerk's office at least once every 5 years. Forms can be located on the Township website: [westwindsornj.org](http://westwindsornj.org) or requested by emailing [health@westwindsortwp.com](mailto:health@westwindsortwp.com).

Sincerely,

*Jill Swanson*

Jill Swanson  
Health Officer