



TENANT PROCESSING CENTER
100 Pop Moylan Boulevard
Deptford, NJ 08096-1907
Phone: (856) 853-1190 Fax: (856) 251-6671

September 12, 2025

RE: Lead-Based Paint Inspections

Dear Owners/Landlords,

It has been brought to our attention recently that some owners/landlords are not aware of recent New Jersey legislation regarding lead paint inspections of rental dwelling units. The law requires all owners to conduct lead-based paint inspections of their rental dwelling units no later than May 1, 2025. Attached please find information regarding the requirements of the new law.

Going forward, when a new Section 8 client moves into a unit, the owner/landlord shall submit the lead-safe certificate required by the new law and a municipal/city Certificate of Occupancy to the Housing Authority of Gloucester County to initiate the HAP contract.

Thank you for your time and attention to this matter.

Sincerely,

Janice Freer
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<https://www.nj.gov/dca/codes/resources/leadpaint.shtml>

By way of summary, the law at the above link requires lead-based paint inspections of rental dwelling units and was adopted by the NJ legislature on May 1, 2023. Pursuant to the regs, owners are required to conduct the initial inspection of the dwelling unit at the earlier of (1) 2 years from the effective date of the law (5/1/2023) which would be 5/1/2025, or (2) upon tenant turnover after the effective date of the law (5/1/2023). Therefore, for every rental dwelling unit in NJ subject to this law, the owner must have completed the initial inspection by May 1, 2025. Proof of the inspection is a lead-safe certification. Lead-safe means there is lead paint at the dwelling unit, but no lead hazards exist. A lead-free certification exempts the dwelling unit from the inspection requirements and means that the dwelling unit is completely lead free (there are additional exemptions at 5:28A-1.3). After the initial inspection, the dwelling unit must be reinspected upon every tenant turnover or 3 years if no tenant turnover. Municipalities/cities are required to enforce the law.

In addition to the inspection requirements above, owners have additional responsibilities pursuant to 5:28A-3.1. This reg is set forth in full below:

§ 5:28A-3.1 Owner responsibility

- (a) The owner of a dwelling that is subject to this chapter shall provide to the tenant and to the municipality evidence of a valid lead-safe certification obtained pursuant to this chapter at the time of tenant turnover. **The owner shall also affix a copy of any such certification as an exhibit to the tenant's lease.**
- (b) The owner of a multiple dwelling that is subject to this chapter shall provide evidence of a valid lead safe certification obtained pursuant to this chapter, as well as evidence of the most recent tenant turnover, at the time of any cyclical inspection performed pursuant to the Hotel and Multiple Dwelling Law, N.J.S.A. 55:13A-1 et seq.
- (c) The owner of a dwelling that is subject to this chapter shall maintain a record of the lead-safe certification, which shall include the name or names of a unit's tenants, if the inspection was conducted during a period of tenancy.
- (d) The owner of any dwelling subject to this chapter shall inform the municipality of all tenant turnover activity to ensure any required inspection may be scheduled.
- (e) The owner of a dwelling shall provide a copy of this chapter, and any lead-safe certifications issued pursuant thereto, along with the accompanying guidance



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document, Lead-Based Paint in Rental Dwellings, to any prospective owners of the dwelling during a real estate transaction, settlement, or closing.

The bold language above requires owners/landlords to affix a copy of the lead-safe certification as an exhibit to the lease. Considering all initial inspections are to be completed as of 5/1/2025, every lease HAGC reviews for Program participation is required to have the lead-safe certification attached to the lease as an exhibit. Therefore, when HAGC reviews leases, HAGC staff will review leases for this requirement, so HAGC ensures that owners/landlords are compliant with this law. Owners/landlords are also required to maintain records of lead-safe certs so an excuse of “received a lead-free cert, but do not have a copy of it” violates the law because of the requirement to maintain records of the certs. The penalties under 5:28A-4.1 are steep resulting in fines of up to \$1,000 per/week for compliance violations.