

In 2016, over 4,800 children in New Jersey were found to have elevated blood lead levels.¹ These children may face serious challenges as a result, including increased risk of kidney and heart disease, brain damage and decreased IQ and increased hyperactivity. Exposure at low levels has been shown to impact IQ, rates of high school graduation and earning potential.² Between the years 2000 and 2015 over 225,000 children in New Jersey were identified with elevated blood lead levels.³ Studies show that the return on investment for lead poisoning prevention is significant: for every \$1 spent, there is a return of between \$17 and \$221.⁴

Most children with lead poisoning are exposed in their homes from lead paint that becomes dust when it is dislodged from windows and doors. Currently the way we find out that a home is unsafe for a child is when the child has a blood test that reveals an elevated blood lead level. In other words, we use children as lead detectors, only intervening to make their home safe when they have already suffered the irreversible effects of lead poisoning. Despite significant progress over the last 40 year, New Jersey is still grappling with serious childhood lead exposure. Lower income communities and communities of color bear the brunt of the harms of lead exposure, further exacerbating inequality in our state.

Lead Safe Certificate

Assembly bill A1877 is known as the “lead safe certificate”. The Lead Safe Certificate initiates a proactive inspection process for rental properties, so that families can be sure their home is lead-safe before they move in. The Lead Safe Certificate bill requires that landlords have an updated Lead Safe Certificate at rental turnover. This means that a state-certified inspector has ensured that there are no lead hazards—from paint, soil or water, in the home. In certain situations, including if the property has been certified lead-safe in the previous five years and the landlord has completed a lead hazard seminar, the landlord can self-inspect the property.

Data from states that have implemented the Lead Safe Certificate bill, such as Massachusetts, Maryland and Rhode Island, shows that it is very effective in lowering children’s blood lead levels—but only when it’s enforced.⁵ The proposed bill includes a key provision on enforcement: that to initiate eviction proceedings against a tenant, a landlord must prove that he or she is in compliance with the Lead Safe Certificate. Maryland, which has seen a dramatic decrease in childhood lead poisoning, has a similar enforcement mechanism.

¹ <https://www.nj.gov/dca/news/news/2018/approved/20180308.html>

² <https://ehp.niehs.nih.gov/0800408/>

³ <https://toxicnj.com/why-does-lead-poisoning-still-afflict-tens-of-thousands-of-kids-in-nj-7dc4fae536a>

⁴ <https://ehp.niehs.nih.gov/0800408/>

⁵ <http://news.maryland.gov/dhcd/2017/10/25/lead-poisoning-in-maryland-drops-to-lowest-recorded-level-testing-increases-in-first-year-of-state-initiative/>



Bill A1877 has a second key component to ensure that at point of sale, homebuyers know if there are lead hazards in the home. Before the title can change hands, there must be a lead inspection and the results of the inspection must be signed by both the buyer and the seller. This closes a dangerous loophole that currently allows the seller to say “I don’t know” to the question of lead hazards in the house. The implementation of A1877 will mean that every family will have the knowledge they need keep children safe from lead in their newly purchased home.

Healthy Homes Inspection for One and Two Unit Rentals

Many studies show that poor housing can lead to increase asthma rates and other health issues among children. Substandard housing has also been linked to behavioral and emotional problems in children.⁶ In New Jersey, tens of thousands of renters live in substandard housing.⁷

Currently there is no state-mandated general inspection for one and two-family rental units. Multiple dwellings are a different story. Under the New Jersey Hotel and Multiple Dwelling Law all units that are part of buildings containing three units and more must be inspected every five years, in a major systems inspection.⁸ Although this system isn’t perfect, and enforcement can still be a challenge, residents in multiple dwelling buildings know that there are standards of maintenance that should be upheld, and landlords know that, presumably, these units will be inspected.

Much of the housing stock in New Jersey’s urban areas are made up of one and two-family units, and these can go a lifetime in the rental market without any inspection. We propose changing A1876 to mandate not just a cyclical 5-year lead inspection, but an inspection on par with that in the Hotel and Multiple Dwelling Act. There is no reason that renters in one and two-families should be subjected to conditions that can languish when there is no inspection and requiring the same full inspection for all rental properties in New Jersey creates a level playing field for landlords across the state.

⁶ https://www.macfound.org/media/files/HHM_-_Poor_Quality_Housing_Is_Tied_to_Childrens_Emotional_and_Behavioral_Problems.pdf

⁷ <https://www.app.com/story/insider/extras/2016/12/30/renter-hell-part-1-billions-squalor/96011730/>

⁸ https://www.state.nj.us/dca/divisions/codes/codreg/pdf_regs/njac_5_10.pdf