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C. Access to Work Area.

(1) Entry into the work area is limited to:

- (a) Workers and other persons who have met the training or accreditation requirements of this chapter;
- (b) The building owner or the owner's designee;
- (c) A State, county, or local enforcement official or the official's designee; or
- (d) A person approved by the Department to engage in research on lead in buildings.

(2) In addition to other required signage, the project contractor or supervisor shall post, in a conspicuous location at each entrance into the work area, a sign which includes the phrase "Caution—Lead Hazard, Keep Out" in bold lettering at least 2 inches high.

D. The following activities are prohibited:

- (1) Use of an open flame torch to remove a lead-containing substance;
- (2) Dry sanding or scraping, except with a HEPA filtration system;
- (3) Abrasive blasting, except with a recovery and filtration system approved by the Department; and
- (4) Uncontained hydroblasting.

E. Control of Emissions and Dust.

(1) In interior areas, before beginning any activity which may generate lead-containing dust or debris, the supervisor shall remove or cover all furnishings in the work area, and shall securely cover floors and nonmovable objects with plastic sheeting at least 4 mils thick.

(2) In exterior areas, before beginning any activity which may generate lead-containing dust or debris, the supervisor shall use plastic sheeting and, as necessary, vertical shrouds to contain all visible debris within the work area.

F. Cleanup.

(1) Cleaning procedures in interior areas shall employ the use of a vacuum cleaner with an HEPA filtration system and wet cleaning with a solution containing at least 1 ounce of 5 percent trisodium phosphate to each gallon of water.

- (b) The initial course shall cover the following topics:
 - (i) Core topics listed in Regulation .05 of this chapter;
 - (ii) Control of environmental lead contamination, including establishing and maintaining containment, and disposal of contaminated debris;
 - (iii) Prevention of lead exposures, including engineering controls, providing and maintaining ventilation in containment, hygiene, use of personal protection clothing and equipment, and respirator selection, maintenance, and fit testing; and
 - (iv) Protection from heat, falls, chemical exposures, and other hazards associated with materials and equipment commonly employed in lead paint removal.
- (c) The course shall provide realistic demonstration of abatement techniques and direct hands-on experience with appropriate techniques.
- (3) The structural steel worker review course shall:
 - (a) Provide at least 7 hours of instruction; and
 - (b) Cover the topics included in the initial course, with specific emphasis on new and emerging techniques and procedures.

B. Structural Steel Supervisor Accreditation Requirements.

(1) General Requirements.

- (a) A structural steel lead paint abatement supervisor shall have successfully completed an initial course and passed the examination designated for that course.
- (b) A structural steel lead paint abatement supervisor shall have received, as proof of training, a certificate and identification card indicating an expiration date which is 24 months following the accreditation date.
- (c) Unless the structural steel lead paint abatement supervisor has completed the specified review course, passed the examination designated for that course, and applied for renewal of accreditation before the certificate expiration date, the supervisor's accreditation expires as of that date.
- (d) A structural steel lead paint abatement supervisor is responsible for oversight of any lead paint abatement project involving structural steel and shall ensure:

(i) Compliance with all applicable regulations; and

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(b) Contain all wastes within the work site or in a secure storage area, and shall dispose of all wastes in accordance with COMAR 26.13.03.

14 Lead Paint Inspector Technician Accreditation Requirements.

A. General Requirements.

(1) A lead paint inspector technician shall have successfully completed an initial course, as specified in this regulation, and passed the examination designated for that course.

(2) A lead paint inspector technician shall have received, as proof of training and accreditation, an identification card and a certificate indicating an expiration date which is 24 months following the accreditation date.

(3) Unless the lead paint inspector technician has completed the specified review course, passed the examination designated for that course, and applied for renewal of accreditation before the expiration date, the lead paint inspector technician's accreditation expires as of that date.

(4) A lead paint inspector technician who is employed by or otherwise performs inspections for a lead paint inspection contractor shall conduct inspections to identify and measure the lead content in paint in accordance with the protocol submitted to the Department by the inspector technician's lead paint inspection contractor under Regulation .09 of this chapter.

B. Training Requirements.

(1) Initial course.

(a) The initial lead paint inspector technician course shall provide at least 21 hours of instruction time, presented over at least a 3-day period.

(b) The initial lead paint inspector technician course shall cover the following topics:

(i) The core topics listed in Regulation .05 of this chapter;

(ii) Methods for detecting and measuring lead in paint, dust, and soil;

(iii) The performance of lead paint surveys;

(iv) Radiation safety and health, as required to meet radiation licensing provisions referenced in COMAR 26.12.01.01;

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B. Training Requirements.

(1) Initial Course.

(a) The initial lead paint visual inspector course shall provide at least 14 hours of instruction time, presented over at least a 2-day period.

(b) The initial lead paint visual inspector course shall cover the following topics:

(i) Core topics listed in Regulation .05 of this chapter;

(ii) Statutory and regulatory requirements for lead hazard reduction treatments in rental housing;

(iii) Basic principles of housing construction, including appropriate nomenclature for components to be recorded on inspection forms;

(iv) Sources of substrate and paint failure;

(v) Procedures for correcting substrate and paint failure;

(vi) Potential for lead exposures during and following unsafe maintenance activities;

(vii) Methods of sampling for and measuring lead in dust; and

(viii) Documenting and reporting inspection information.

(c) The course shall include practical experience in documenting untreated and inadequately treated sources of exposure to lead paint, lead dust, and lead debris.

(d) For an accredited lead paint inspector technician, the initial lead paint visual inspector course is the same as the visual inspector review course.

(2) The lead paint visual inspector review course shall provide at least 7 hours of instruction and shall cover topics included in the initial course, with specific emphasis on new requirements and procedures.

(3) The examinations for both the initial and the review lead paint visual inspector courses shall include a proficiency test requiring the documentation of observations of the conditions and appropriate repair of windows, doors, and other architectural components of residential buildings, and proper use of dust samples for analysis of lead content.

(e) A statement of qualifications for recognized experts who are to serve as instructors, as specified in Regulation .18 of this chapter;

(d) A list of instructors, including a designated primary instructor, who have been accredited under Regulation .18 of this chapter;

(c) Copies of all printed instructional materials to be provided to students;

(b) A curriculum, including stated learning objectives, a detailed outline of course content which clearly indicates allocation of time for specified topics, a description of learning activities, and a description of audiovisual and other teaching materials;

(a) A completed application sheet, on a form to be provided by the Department;

(2) The application for each training course shall include:

(1) A training provider shall submit to the Department a separate application for accreditation for each training course to be provided.

B. Training Provider Accreditation Application Requirements.

(2) An audit, by the Department, of a class conducted by the training provider implementing the curriculum included in the application.

(1) Approval by the Department of an application submitted by the training provider; and

A. The Department may accredit a training provider separately for each training course to be provided by that training provider. Accreditation is based on:

.17 Training Provider Accreditation Requirements.

(2) Experience attained before the effective date of this chapter may be credited to the experience requirements of this regulation.

(b) Conducted at least 20 lead paint surveys in residential units, public buildings, or commercial properties.

(a) Been an accredited lead paint inspector technician for at least 1 year; and

(1) A lead paint risk assessor shall have:

C. Experience.

trial course, with specific emphasis on new requirements and procedures.

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E. Requirements for Foreign Language Courses.

(1) A training course to be presented in a language other than English is regarded as separate from a training provider's English language version of that training course and requires a separate application for accreditation.

(2) Instructors for any foreign language course shall meet requirements of Regulation 18 of this chapter and shall be fluent in the language of presentation for the course.

(3) The training provider for a foreign language course shall provide written instructional and reference materials in the language of presentation for the course and shall provide to the Department written verification of the accuracy of translations for these materials.

(4) The training provider for a foreign language course shall provide an examination, approved by the Department, in the language of presentation for the course.

(5) Presentation of an English language course may not be provided through an interpreter to a non-English-speaking class.

18 Lead Abatement Instructor Requirements.

A. Accreditation.

(1) The primary instructor and, except as provided in §B of this regulation, any other instructor for a lead paint abatement training course, shall be currently accredited by the Department before participating in the presentation of the course.

(2) The Department may issue a certificate to an instructor who meets the qualifications specified in this regulation. The certificate shall:

(a) Specify the training courses which the instructor is qualified to teach; and

(b) Indicate an expiration date which is 12 months following the date of the instructor accreditation or examinations.

(3) An instructor shall have successfully completed a course which is comparable to that which the instructor will teach and which has been approved by the Department.

(4) Instructor Accreditation Examination.

(a) The Department may establish a standardized instructor accreditation examination for each category of training to be provided under these regulations.

- ▷ (3) A recognized expert may teach only those topics corresponding with the specified areas of expertise.
- A. The Department may suspend or revoke the accreditation of a person accredited under provisions of this chapter if the person:
 - ▷ (1) Misrepresents or falsifies, to the Department, to a client, or to a customer, facts relating to lead paint abatement services;
 - (2) Fails at any time to meet the qualifications for accreditation established in this chapter;
 - (3) Violates provisions of this chapter or other applicable regulatory requirements;
 - ▷ (4) Is determined by the Department or another competent regulatory authority to be negligent or incompetent in performing lead paint abatement services;
 - (5) Issues or uses false or altered training certificates; or
 - (6) As a training provider or an instructor, is determined at any time by the Department to provide inaccurate information or inadequate training.
- B. The Department may send notice of the revocation or suspension of a person's accreditation to the person by certified mail. The person may, within 10 days after receipt of the notice, request a hearing. If the Department receives a timely request, the Department shall hold a hearing in accordance with State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland.
- 20 Fees.
 - A. Fees shall be deposited in the Lead Accreditation Fund.
 - B. Payment of fees under this subtitle shall be in the form of a personal check, cashier's check, or money order made payable to the Lead Accreditation Fund.
 - C. Accreditation fees may not be imposed on the following:
 - (1) A State or local government;
 - (2) An employee of a State or local government providing a lead paint abatement service on behalf of that government; or
 - (3) A nonprofit training program.

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Title 26
DEPARTMENT OF THE ENVIRONMENT
Subtitle 16 LEAD

Chapter 02 Reduction of Lead Risk in Housing

Authority: Environment Article, §§1-404, 6-801-6-852, and 6-1001-6-1005, Annotated Code of Maryland

.01 Scope.

This chapter establishes requirements and standards for the maintenance and inspection of residential rental properties.

.02 Definitions.

A. In this chapter, the following words have the meanings indicated.

B. Terms Defined.

(1) "Accredited" means accredited by the Department of the Environment under provisions of COMAR 26.16.01.

(2) "Encapsulant coating" means coating lead-based paint with a material which is applied as a liquid, which forms a durable, long-lasting coating for lead-based paint, and which is approved for use, on a case-by-case basis, by the Department.

(3) "Lead-based paint" means paint or other surface coating that contains lead in excess of the levels set forth in COMAR 26.16.01.02B(7).

(4) "Lead-contaminated dust" means dust with a lead content equal to or greater than:

(a) 200 micrograms per square foot in dust collected from a floor;

(b) 500 micrograms per square foot in dust collected from a window sill; or

(c) 800 micrograms per square foot in dust collected from a window well.

(5) "Lead-free" means, except for factory-applied coatings on metal components:

(a) Containing no lead-based paint; or

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paint inspector or lead paint risk assessor may issue a certificate of satisfactory lead dust inspection following the laboratory analysis of dust samples that meet the levels in Regulation .02B(4) of this chapter.

(2) The dust samples shall have been collected during an inspection by an accredited lead paint inspector or accredited lead paint risk assessor.

(3) The inspector or lead paint risk assessor shall follow procedures included in the lead paint inspection contractor's approved protocol, as specified in COMAR 26.16.01.09.

(4) The lead paint inspector or lead paint risk assessor shall:

(a) Select dust sample locations which best characterize the potential for lead exposure within a dwelling unit and shall include areas in which any of the following conditions are identified:

(i) Deteriorating paint,

(ii) Accumulations of dust or debris, or

(iii) Activity areas for children;

(b) Collect at least one dust sample from each room in the dwelling unit as follows:

(i) From each room in which there is no window, at least one dust sample shall be collected from the floor,

(ii) From each room in which there is at least one window that is not a lead-free replacement window, at least two dust samples shall be taken, one of which shall be collected from the window well of a window that is not lead-free and one of which shall be from a window sill or the floor,

(iii) From each room in which all windows are lead-free replacement windows, there shall be at least one dust sample taken from either a window sill or the floor.

(5) An accredited lead paint inspection contractor may not issue a certificate of a satisfactory lead dust inspection if any tested sample is determined to contain lead-contaminated dust.

(6) The lead paint inspection contractor shall submit a copy of the certificate, with a report of all inspection results, to the Department within 10 calendar days following receipt of laboratory analysis of dust samples.

(5) The property owner shall obtain, record, and maintain the following information regarding any contractors, supervisors, or workers that performed or supervised any lead hazard reduction treatment:
 (a) Names and accreditation numbers of all contractors and supervisors;
 (b) Names of all other workers.

(6) Upon request by the Department, a property owner shall provide the Department with copies of the records required in §C(5) of this regulation.

(7) The lead paint inspection contractor shall submit a copy of the certificate of compliance, with a completed copy of the inspection report, to the Department within 10 calendar days following an inspection.

04 Certification of Lead-Safe Housing.

A. An accredited lead paint inspection contractor may issue a certificate of lead-safe housing following:

(1) An inspection that:

(a) Establishes compliance with the risk reduction standard as specified in Environment Article, §6-815, Annotated Code of Maryland, and
 (b) Verifies that all windows are either lead-free or have been treated so that all friction surfaces are lead-free; and

(2) A satisfactory inspection for lead-contaminated dust, as specified in §B of this regulation, performed within 15 days before relocating a person at risk to the dwelling unit in accordance with a qualified offer made under COMAR 26.16.03.

B. Inspection for Lead-Contaminated Dust for Certification of Lead-Safe Housing.

(1) The dust samples for an inspection of lead-contaminated dust for certification of lead-safe housing shall be collected during an inspection by an accredited lead paint inspector or accredited lead paint risk assessor.

(2) The accredited lead paint inspector or risk assessor shall follow procedures included in the lead paint inspection contractor's approved protocol, as specified in COMAR 26.16.01.09.

(3) Selection of Surfaces for Dust Samples. The lead paint inspector or risk assessor shall:

laboratory analysis of paint for lead or analysis by a portable XRF in accordance with COMAR 26.16.01.02B(7).

F. An affected property that is a multi-unit building or multi-building complex having six or more dwelling units may be certified to be lead-free if the:

(1) Building or complex is demonstrated to be of uniform construction or painting history;

(2) Exterior surfaces are determined to be lead-free based on testing of a representative sample of exterior surfaces in accordance with §G(1) of this regulation or inspection in accordance with §G(2) of this regulation, to include each type of component or other substrate;

(3) Representative samples of interior surfaces that are not a part of, or adjoining, a rental dwelling unit within a multifamily rental dwelling are determined to be lead-free in accordance with §G(1) of this regulation;

(4) Selection of dwelling units to be tested is based on an accepted technique for generating and assigning random numbers to produce an unbiased sample;

(5) Following minimum number of dwelling units are tested:

(a) In a building or complex with fewer than 20 dwelling units, at least six dwelling units shall be tested, or

(b) In a building or complex with 20 or more dwelling units, at least ten dwelling units shall be tested; and

(6) Interior surfaces of an affected property that have been tested comply with the requirements in Regulation .02B(5)(a) of this chapter.

G. Exterior surfaces of an affected property are in compliance with Environment Article, §6-804, Annotated Code of Maryland, when:

(1) Each painted surface is determined to be lead-free based upon either laboratory analysis or XRF analysis of paint for lead;

(2) Lead paint has been fully removed and lead paint removal is verified by a visual inspection by an accredited inspector or risk assessor before the surface is repainted or covered, and applicable requirements of COMAR 26.02.07 are met; or

(3) All exterior surfaces of the affected property containing lead-based paint comply with the conditions in Regulation .02B(5)(b) of this chapter.

.07 Encapsulant Coating of Lead-Based Paint.

A. Application of an encapsulant coating used to meet risk reduction standards under Environment Article, §6-815(a)(2)(iv) or 6-819(a)(4), Annotated Code of Maryland, shall conform to the standards of this regulation.

B. An encapsulant coating using fiberglass mats shall:

(1) Fully cover the surface which contains lead-based paint; and

(2) Be secured at all edges.

C. The use of encapsulant coating with any product which does not include a fiberglass mat may be approved by the Department on a case-by-case basis.

D. Continued Inspection and Maintenance Requirements.

(1) The owner shall conduct and document a visual inspection of each encapsulant coated surface within 1 year following the issuance of the certificate, and annually after that, to determine the presence of any defect in the encapsulant coating materials.

(2) The owner shall promptly repair any defect in the encapsulant coating materials which is reported to the owner or which is observed during the owner's inspection.

Administrative History

Effective date:

Regulations .01—.07 adopted as an emergency provision effective February 24, 1996 (22:24 Md. R. 1884)

Regulations .01—.07 adopted effective August 12, 1996 (23:16 Md. R. 1177)

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Title 26
DEPARTMENT OF THE ENVIRONMENT
Subtitle 16 LEAD

Chapter 03 Procedures for Making and Implementing a
Qualified Offer

Authority: Environment Article, §§1-404 and 6-801—6-852,
Annotated Code of Maryland

.01 Scope.

This chapter governs the making and implementation of a qualified offer under Environment Article, Title 6, Subtitle 8, Part V, Annotated Code of Maryland.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Permanent relocation" means a relocation of the household of a person at risk with elevated blood lead to a lead-safe dwelling with-out intent to return the household to the dwelling unit in which the person at risk resided when the qualified offer was made.

(2) "Responder" means an individual authorized to accept or reject a qualified offer as a person at risk or on behalf of a person at risk.

(3) "Temporary relocation" means a relocation of the household of a person at risk with elevated blood lead to a lead-safe dwelling unit during an interim period with the intent to move the household to a permanent lead-safe dwelling unit as provided in COMAR 26.16.02.

.03 Transmittal of a Qualified Offer.

A. A qualified offer shall be made to the responder on the qualified offer form required by the Department as provided in Regulation .04 of this chapter.

B. The offeror shall submit two signed copies of the qualified offer to the responder and shall submit one copy to the local health department.

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C. The Department shall make the qualified offer form available in English and any other language that the Department considers necessary.

D. The qualified offer shall be delivered to the responder by a verifiable method as provided in COMAR 26.16.04.

E. Within 10 days following receipt of the responder's acceptance of the qualified offer, the offeror shall submit a copy of the fully executed qualified offer to the local health department.

.04 Qualified Offer Form.

Someone in Your Home Has a High Blood Lead Level — What are Your Rights?

Recently, you and your landlord received a notice from the local health department informing you that you or someone in your household has a level of lead in his/her blood that can be hazardous to that person's health. Lead is a poison that can cause learning disabilities, behavioral problems and permanent damage to vital organs.

Because of that high blood lead level, your landlord, possibly through a representative like an insurer, has decided to make a Qualified Offer to help you through this problem. Now that you have received a Qualified Offer, your legal rights are very limited. If your landlord did everything the law requires him/her to do, you will not be able to sue your landlord for any damages that may have been caused by lead, even if you do not accept this Qualified Offer. So, if you think you are going to reject this Qualified Offer, be sure you completely understand this offer and how it affects your rights before you make a decision.

The person making the Qualified Offer is offering: 1) to pay to move you and your family to a lead-safe home, and to help pay some of your rent; and 2) to pay certain bills related to the medical treatment of the person with the high blood lead level. The payments are limited to a maximum of \$17,000 and in most cases will be made directly to the provider of services (physician, new landlord, etc.), not to you.

Your landlord should also have given you two other pieces of information. One piece is about the dangers of lead poisoning and the other piece is about your rights under Maryland law. If you do not have this information, call the Lead Hotline at 410-631-4199 or 1-800-776-2706.

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Your Address is:

The Address of the Person with a high blood lead level:

Information About the Property Owner
and the Person Making this Offer
The person making this Qualified Offer is:

Name

Company

Street Address

City

State

Zip Code

Phone

I am making this Qualified Offer to you because (Offeror checks one):

I am your landlord.

I represent your landlord's insurance company.

I work for your landlord.

The Owner of the Home in which the person with a high blood lead level resides (if it is not the person making this Qualified Offer) is:

Name

Company

Street Address

City

State

Zip Code

Phone

Signature of Person Making Offer

Date

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deduct the amount from the \$9,500 that I will pay for relocation expenses.

Temporary Relocation

I may decide that your family should move for only a short time while I make your current home lead-safe. You will not be able to move back into your home until it has been certified lead-safe.

If I decide that you should relocate permanently (discussed on the next page) you may wish to relocate temporarily for a short period while you search for a place to move to permanently. We must both agree on this in order for you to do it.

Unless you and I agree otherwise, temporary relocation will not last longer than 60 days. If your family is temporarily relocated, I will pay directly to the new landlord, or to other people who provide the family with services, the following temporary relocation costs.

- Rent or per day cost of the temporary home;
- The cost of moving, hauling or storing furniture or other personal belongings; and
- Costs for special HEPA-vacuuming of all upholstered furniture.

I will pay the family directly for additional expenses that are a result of the move to a temporary home, if you give me the receipts. These expenses can include:

- Transportation;
- Child care; and
- Meal expenses if the temporary home does not have a place to cook.

When you move back into your home after it has been made lead-safe, you will continue to pay the same rent as you paid before you received the Qualified Offer.

Permanent Relocation

If I think you should move immediately to a different home or if your family moves to a permanent home after being in a temporary home, I will pay directly to your landlord:

- A rent subsidy as described below under the section Rent Subsidy; and
- A security deposit, if any, for the lead-safe housing.

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Maximum Rent Subsidy Amount

The rent you pay now is \$ _____/month/week.

The rent subsidy I will pay or deduct can be no more than:

\$ _____/month/week—150% of the rent you pay now.

Medically Necessary Treatments

If you sign this Qualified Offer, I also will pay up to a total of \$7,500 for reasonable, medically necessary treatments needed because of the high blood lead level, but only when these costs are not paid for by your insurance, Medicaid or any other third-party provider. If the person with a high blood lead level is a child, I will pay these expenses until that child is 18 years old or until the \$7,500 runs out, whichever happens first. I will make the payments for reasonable, medically necessary treatments directly to the health care provider, not to you. Medically necessary treatments include:

- Educational evaluation
- Psychometric testing
- Inpatient treatment
- Outpatient treatment
- Behavioral therapy
- Speech and language therapy
- Medicine needed to treat lead poisoning or medical problems caused by high blood lead levels
- Nutritional evaluation
- Standard, over-the-counter vitamins with minerals, and iron and calcium supplements prescribed or recommended by your doctor
- Any other treatment related to high blood lead level deemed necessary by a health care provider

Certification by Landlord

THIS IS THE SECTION YOUR LANDLORD, OR SOMEONE REPRESENTING YOUR LANDLORD, COMPLETES TO SHOW YOU THAT EVERYTHING THE LAW REQUIRES HAS BEEN DONE.

As the owner of _____ [address of affected property], under the penalties of perjury, I certify that I have complied with all applicable provisions and requirements under Environment Article, Title 6, Subtitle 8, Annotated Code of Maryland. Specifically, I have complied with the following requirements:

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If you do not accept this Qualified Offer within 30 days, you may not be able to sue your landlord for any injuries or illness that may have been caused by a high blood lead level and will not receive the benefits outlined in the Qualified Offer.

I, _____ (print your name) hereby accept this Qualified Offer on my own behalf or on behalf of _____ (print the name of person in your home with high blood lead level).

Signature of Owner _____

Witness _____

Date _____

.05 Temporary and Permanent Relocation.

A. Payment by Offeror.

(1) An offeror may elect to pay for either permanent or temporary relocation of the household of a person at risk with elevated blood lead.

(2) The offeror may suggest one or more lead-safe dwelling units for permanent or temporary relocation.

(3) Unless the offeror and the responder agree otherwise, temporary relocation shall last not longer than 60 days.

(4) If the offeror and the responder agree, the responder may choose temporary relocation to a lead-safe dwelling unit with the intent to move the household of the person at risk into a permanent lead-safe dwelling unit.

(5) When the household of the person at risk is temporarily relocated to a lead-safe dwelling unit, the maximum amount of monthly rent for which the household is responsible until the termination of the offeror's obligation to make payments under the qualified offer shall be not greater than the amount the household paid at the time the qualified offer was made.

(6) If an offeror proposes temporary or permanent relocation to a lead-safe dwelling unit owned by the offeror or the owner of the affected property in which the household resided when the qualified offer was made, the offeror shall, at that time, disclose the rent of the new dwelling unit and the amount that the offeror will deduct as a rent subsidy from the \$9,500 cap on relocation expenses.

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required under COMAR 26.16.02.04A(2) and the cost is deductible from the \$9,500 cap on relocation expenses.

(7) The responder shall make the final choice of a lead-safe dwelling unit for purposes of relocation.

.06 Medically Necessary Treatments.

A. Medically necessary tests or treatments are those relating to elevated blood lead levels.

B. Medically necessary testing or treatments include:

- (1) Educational evaluation;
- (2) Psychometric testing;
- (3) Inpatient treatment;
- (4) Outpatient treatment;
- (5) Behavioral therapy;
- (6) Speech and language therapy;
- (7) Medicine specifically related to elevated blood lead levels and medical conditions caused by elevated blood lead levels;
- (8) Nutritional evaluation;
- (9) Standard, over-the-counter vitamins with mineral preparations and iron and calcium supplements prescribed by a health-care provider; and
- (10) Any other treatment related to an elevated blood lead level recommended by a health care provider.

C. The offeror shall make payments for medically necessary treatments upon receipt of a bill for expenses which have not been covered by the Maryland Medical Assistance Program or by a third-party health insurance plan.

.07 Benefits Payable per Child.

A. The person at risk with elevated blood lead is entitled to relocation benefits until the relocation benefits are exhausted or the child is 6 years old, whichever occurs first.

B. The person at risk with elevated blood lead is entitled to medical benefits until the benefits are exhausted or, in the case of a child, until the child is 18 years old, whichever occurs first.

C. Relocation benefits may be used for subsequent lead-safe dwelling units without regard to the cause of the relocation.

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EXHIBIT #10
Respondent
AR 8.26.99
FENCAD - Bryson, N. J.

Exhibit 1

Environment
Title 6
Subtitle 8

Respondent's Exhibit 2

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F-2-1
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EXHIBIT #12
Respondent
PKCAD-Bryant, M. J.
AR 8.26.99

Exhibit 1

Environment
Title 6
Subtitle 8

Respondent Exhibit 12

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F-2-1
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issues, and the need for further action that the Commission determines to be necessary.

(d) *Establishment of testing standards; implementing regulations.* — The Department shall consult with the Commission on establishing the optional lead-contaminated dust testing standards under § 6-816 of this subtitle and in developing regulations to implement this subtitle. (1994, ch. 114, § 1.)

Part III. Registration of Affected Property.

§ 6-811. Registration.

(a) *Date of registration.* — (1) On or before December 31, 1994, the owner of an affected property shall register the affected property with the Department.

(2) Notwithstanding paragraph (1) of this subsection, an owner of affected property for which an election is made under § 6-803 (a) (2) of this subtitle shall register at the time of the election.

(b) *Forms; contents.* — The owner shall register each affected property using forms prepared by the Department, including the following information:

- (1) The name and address of the owner;
- (2) The address of the affected property;
- (3) If applicable, the name and address of each property manager employed by the owner to manage the affected property;
- (4) The name and address of each insurance company providing property insurance or lead hazard coverage for the affected property, together with the policy numbers of that insurance or coverage;
- (5) The name and address of a resident agent, other agent of the owner, or contact person in the State with respect to the affected property;
- (6) Whether the affected property was built before 1950 or after 1949;
- (7) The date of the latest change in occupancy of the affected property;
- (8) The dates and nature of treatments performed to attain or maintain a risk reduction standard under § 6-815 or § 6-819 of this subtitle; and
- (9) The latest date, if any, on which the affected property has been certified to be in compliance with the provisions of § 6-815 of this subtitle.

(c) *Information in the public domain; requests for disclosure.* — (1) Subject to the provisions of paragraph (2) of this subsection, the information provided by an owner under subsection (b) of this section shall be open to the public. (2) (i) Except as provided in subparagraph (ii) of this paragraph, the Department may not disclose an inventory or list of properties owned by an owner.

(ii) The Department shall, upon request, disclose whether the owner has met the percentage of inventory requirements under § 6-817 of this subtitle. (1994, ch. 114, § 1.)

issues, and the need for further action that the Commission determines to be necessary.
(d) *Establishment of testing standards; implementing regulations.* — The Department shall consult with the Commission on establishing the optional lead-contaminated dust testing standards under § 6-816 of this subtitle and in developing regulations to implement this subtitle. (1994, ch. 114, § 1.)

Part III. Registration of Affected Property.

§ 6-811. Registration.

- (a) *Date of registration.* — (1) On or before December 31, 1994, the owner of an affected property shall register the affected property with the Department.
- (2) Notwithstanding paragraph (1) of this subsection, an owner of affected property for which an election is made under § 6-803 (a) (2) of this subtitle shall register at the time of the election.
- (b) *Forms; contents.* — The owner shall register each affected property using forms prepared by the Department, including the following information:
 - (1) The name and address of the owner;
 - (2) The address of the affected property;
 - (3) If applicable, the name and address of each property manager employed by the owner to manage the affected property;
 - (4) The name and address of each insurance company providing property insurance or lead hazard coverage for the affected property, together with the policy numbers of that insurance or coverage;
 - (5) The name and address of a resident agent, other agent of the owner, or contact person in the State with respect to the affected property;
 - (6) Whether the affected property was built before 1950 or after 1949;
 - (7) The date of the latest change in occupancy of the affected property;
 - (8) The dates and nature of treatments performed to attain or maintain a risk reduction standard under § 6-815 or § 6-819 of this subtitle; and
 - (9) The latest date, if any, on which the affected property has been certified to be in compliance with the provisions of § 6-815 of this subtitle.
- (c) *Information in the public domain; requests for disclosure.* — (1) Subject to the provisions of paragraph (2) of this subsection, the information provided by an owner under subsection (b) of this section shall be open to the public. (2) (i) Except as provided in subparagraph (ii) of this paragraph, the Department may not disclose an inventory or list of properties owned by an owner.
- (ii) The Department shall, upon request, disclose whether the owner has met the percentage of inventory requirements under § 6-817 of this subtitle. (1994, ch. 114, § 1.)

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- (iv) Stripping and repainting, replacing, or encapsulating all interior window sills with vinyl, metal, or any other material in a manner and under conditions approved by the Department; *and aluminum window sills*
 - (v) Ensure that caps of vinyl, aluminum, or any other material in a manner and under conditions approved by the Department, are installed in all window wells in order to make the window wells smooth and cleanable;
 - (vi) Except for a treated or replacement window that is free of lead-based paint on its friction surfaces, fixing the top sash of all windows in place in order to eliminate the friction caused by movement of the top sash;
 - (vii) Rehauling all doors necessary in order to prevent the rubbing together of a lead-painted surface with another surface;
 - (viii) Making all bare floors smooth and cleanable;
 - (ix) Ensure that all kitchen and bathroom floors are overlaid with a smooth, water-resistant covering; and *2*
 - (x) HEPA-vacuuming and washing of the interior of the affected property with high phosphate detergent or its equivalent, as determined by the Department.
- (b) On each change in occupancy. — At each change in occupancy thereafter, before the next tenant occupies the property, the owner of an affected property shall satisfy the risk reduction standard established under this subtitle by:
 - (1) Passing the test for lead-contaminated dust under § 6-816 of this subtitle; or
 - (2) (i) Repeating the lead hazard reduction treatments specified in subsection (a) (2) (i), (ii), (iii), and (x) of this section; and
 - (ii) Ensuring that the lead hazard reduction treatments specified in subsection (a) (2) (iv), (v), (vi), (vii), (viii), and (ix) of this section are still in effect.
- (c) Inspections. — Except for affected properties that pass a test for lead-contaminated dust under § 6-816 of this subtitle, at each change in occupancy, an owner of an affected property shall have the property inspected to verify that the risk reduction standard specified in this section has been satisfied.
- (d) Exterior work; waiver. — (1) Exterior work required to satisfy the risk reduction standard may be delayed, pursuant to a waiver approved by the appropriate person under paragraph (2) of this subsection, during any time period in which exterior work is not required to be performed under an applicable local housing code or, if no such time period is specified, during the period from November 1 through April 1, inclusive.
- (2) A waiver under paragraph (1) of this subsection may be approved by the code official for enforcement of the housing code or minimum livability code of the local jurisdiction, or, if there is no such official, the Department of Housing and Community Development.
- (3) Notwithstanding the terms of the waiver, all work delayed in accordance with paragraph (1) of this subsection shall be completed within 30 days after the end of the applicable time period.

smooth painted surface

replace or repainting window sills

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clause with paragraph (1) of this subsection shall be completed within 30 days after the end of the applicable time period.

(3) Notwithstanding the terms of the waiver, all work delayed in accordance with paragraph (1) of this subsection shall be completed within 30 days after the end of the applicable time period.

(2) A waiver under paragraph (1) of this subsection may be approved by the code official for enforcement of the housing code or minimum livability code of the local jurisdiction, or, if there is no such official, the Department of Housing and Community Development.

(d) Exterior work; waiver. — (1) Exterior work required to satisfy the risk reduction standard may be delayed, pursuant to a waiver approved by the appropriate person under paragraph (2) of this subsection, during any time period in which exterior work is not required to be performed under an applicable local housing code or, if no such time period is specified, during the period from November 1 through April 1, inclusive.

(c) Inspections. — Except for affected properties that pass a test for lead-contaminated dust under § 6-816 of this subtitle, at each change in occupancy, an owner of an affected property shall have the property inspected to verify that the risk reduction standard specified in this section has been satisfied.

(2) (i) Repeating the lead hazard reduction treatments specified in subsection (a) (2) (i), (ii), (iii), and (x) of this section; and (ii) Ensuring that the lead hazard reduction treatments specified in subsection (a) (2) (iv), (v), (vi), (vii), (viii), and (ix) of this section are still in effect.

(1) Passing the test for lead-contaminated dust under § 6-816 of this subtitle; or (b) On each change in occupancy. — At each change in occupancy thereafter, before the next tenant occupies the property, the owner of an affected property shall satisfy the risk reduction standard established under this subtitle by:

(x) HEPA-vacuuming and washing of the interior of the affected property with high phosphate detergent or its equivalent, as determined by the Department of Housing and Community Development; (ix) Ensuring that all kitchen and bathroom floors are overlaid with a smooth, water-resistant covering; and (viii) Making all bare floors smooth and cleanable;

(vii) Rehangings all doors necessary in order to prevent the rubbing together of a lead-painted surface with another surface; (vi) Except for a treated or replacement window that is free of lead-based paint on its friction surfaces, fixing the top sash of all windows in place in order to eliminate the friction caused by movement of the top sash;

(v) Ensure that caps of vinyl, aluminum, or any other material in a manner and under conditions approved by the Department, or any other material in a manner and under conditions approved by the Department, or any other material in a manner and under conditions approved by the Department, are installed in all window wells in order to make the window wells smooth and cleanable;

(iv) Stripping and repainting, replacing, or encapsulating all interior window wells with vinyl, metal, or any other material in a manner and under conditions approved by the Department; (v) Ensure that caps of vinyl, aluminum, or any other material in a manner and under conditions approved by the Department, or any other material in a manner and under conditions approved by the Department, are installed in all window wells in order to make the window wells smooth and cleanable;

Handwritten notes: HEPA vacuum, wash interior of affected property with high phosphate detergent or its equivalent, as determined by the Department of Housing and Community Development.

Handwritten notes: HEPA vacuum, wash interior of affected property with high phosphate detergent or its equivalent, as determined by the Department of Housing and Community Development.

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(1) Proof of actual fraud as to that affected property;

unless there is:

affected property during the period for which the certification is effective, that the owner is in compliance with the risk reduction standard for the an affected property with the risk reduction standard shall be conclusive proof Department under subsection (a) of this section that certifies compliance for (b) Certified report as proof of compliance. — A report submitted to the

ant, if any, of the affected property.

dust testing or visual inspection to the Department, the owner, and the ten-

(3) Shall submit a verified report of the result of the lead-contaminated

(2) May not be a related party to the owner, and

(1) Shall be accredited by the Department;

subtle:

(a) Inspectors to be accredited, independent — Any person performing lead-contaminated dust testing or conducting inspections required by this

ted reports.

§ 6-818. Inspectors' accreditation and independence; certi-

(1994, ch. 114, § 1.)

affected property that is necessary to fulfill the requirements of this section. be responsible for the cost of any temporary relocation of the tenants of the (d) Cost of temporary relocation. — The owner of an affected property shall

§ 6-815 (a) has been satisfied.

property inspected to verify that the risk reduction standard specified in requirements of this section, the owner of the affected property shall have the

erty which has not undergone a change in occupancy is treated to satisfy the (c) Inspections after treatment — On each occasion that an affected prop-

(ii) A verifiable method approved by the Department.

(i) Certified mail, return receipt requested; or

(3) Notice given under subsection (b) (1) of this section shall be sent by:

2. Legal action affecting access to the unit.

or

1. A tenant's lack of cooperation with the owner's compliance efforts; that the noncompliance results from:

(iii) The provisions of this paragraph do not apply if the owner proves the requirements of § 6-819(i) of this subtitle.

owner meets the requirements of subsections (b)(1) and (c) of this section and documented by a test for EBL of 20 µG/DL or more after the date that the stated for any alleged injury or loss caused by the ingestion of lead that is first

(ii) The liability protection under § 6-836 of this subtitle shall be rein-

risk reduction standard specified in § 6-819 (a) of this subtitle, as applicable.

the inspection requirement of subsection (c) of this section, or the modified, satisfied the risk reduction standard specified in § 6-815 (a) of this subtitle, or more on or after October 1, 2004 in any of the owner's units that have not lead by a person at risk that is first documented by a test for EBL of 20 µG/DL

(1) Proof of actual fraud as to that affected property;

unless there is:

affected property during the period for which the certification is effective, that the owner is in compliance with the risk reduction standard for the an affected property with the risk reduction standard shall be conclusive proof Department under subsection (a) of this section that certifies compliance for (b) Certified report as proof of compliance. — A report submitted to the

and, if any, of the affected property.

dust testing or visual inspection to the Department, the owner, and the ten- (3) Shall submit a verified report of the result of the lead-contaminated

(2) May not be a related party to the owner; and

(1) Shall be accredited by the Department;

subtitles:

lead-contaminated dust testing or conducting inspections required by this (a) Inspectors to be accredited, independent, Any person performing

ded reports.

§ 6-818. Inspectors' accreditation and independence; certi-

(1994, ch. 114, § 1.)

affected property that is necessary to fulfill the requirements of this section. (d) Cost of temporary relocation. — The owner of an affected property shall be responsible for the cost of any temporary relocation of the tenants of the

§ 6-815 (a) has been satisfied.

property inspected to verify that the risk reduction standard specified in requirements of this section, the owner of the affected property shall have the property which has not undergone a change in occupancy is treated to satisfy the (c) Inspections after treatment — On each occasion that an affected prop-

(ii) A verifiable method approved by the Department.

(i) Certified mail, return receipt requested; or

(3) Notice given under subsection (b) (1) of this section shall be sent by:

2. Legal action affecting access to the unit.

or

1. A tenant's lack of cooperation with the owner's compliance efforts;

that the noncompliance results from:

(iii) The provisions of this paragraph do not apply if the owner proves

the requirements of § 6-819(i) of this subtitle.

owner meets the requirements of subsections (b)(1) and (c) of this section and documented by a test for EBL of 20 µG/DL or more after the date that the stated for any alleged injury or loss caused by the ingestion of lead that is first (ii) The liability protection under § 6-836 of this subtitle shall be rein-

risk reduction standard specified in § 6-819 (a) of this subtitle, as applicable. the inspection requirement of subsection (c) of this section, or the modified satisfied the risk reduction standard specified in § 6-815 (a) of this subtitle, or more on or after October 1, 2004 in any of the owner's units that have not lead by a person at risk that is first documented by a test for EBL of 20 µG/DL

(ii) Except as provided in paragraph (2) of this subsection, within 30 days after receipt of written notice from the tenant, or from any other source,

1. A defect; and

2. The existence of a person at risk in the affected property.

(2) After September 30, 1994, and before December 1, 1995, an owner of a number of affected properties shall satisfy the modified risk reduction standard within the specified period after receipt of written notice from the tenant, or from any other source, of a defect in accordance with the following schedule:

(i) For an owner of 300 or fewer affected properties, within 30 days; and (ii) For an owner of more than 300 affected properties:

1. If the owner has received notice from the tenant, or from any other source, of the existence of a person at risk in the affected property, within 60 days; or

2. If the owner has not received notice from the tenant, or from any other source, of the existence of a person at risk in the affected property, within 90 days.

(d) Notification from tenant or any other source after December 31, 1995. — After December 31, 1995, an owner of an affected property shall satisfy the modified risk reduction standard within 30 days after receipt of written notice from the tenant, or from any other source, of a defect.

(e) One hundred percent satisfaction after October 1, 2004. — Except as provided in § 6-817 (b) of this subtitle, on and after October 1, 2004, an owner of affected properties shall ensure that 100% of the owner's affected properties in which a person at risk does not reside have satisfied the modified risk reduction standard.

(f) Verification; failure to verify; inspector's report; owner's obligations. — (1) An owner of an affected property shall verify satisfaction of the modified risk reduction standard by submitting a statement of the work performed on the property, verified by the tenant and an accredited supervisor or contractor, to the Department on or before the tenth day of the month following the month in which the work was completed.

(2) (i) If the tenant fails or refuses to verify the statement of work performed on the affected property, the owner shall within 5 business days of the failure or refusal, contact an inspector accredited under § 6-818 (a) of this subtitle to inspect the affected property.

(ii) The inspector's report shall either certify that the work required to be performed under this section was satisfactorily completed or specify precisely what additional work is required.

(iii) If additional work is required: 1. The owner shall have 20 days after receipt of the inspector's report in which to perform the work, subject to a weather delay under the provisions of subsection (k) of this section; and

2. The inspector shall reinspect the affected property after the additional work is completed and: A. Issue a report certifying that the work is complete; and

(a) Removal of persons from risk; access; expenses. — (1) Whenever an owner of an affected property intends to make repairs or perform maintenance work that will disturb the paint on interior surfaces of an affected property, the owner shall make reasonable efforts to ensure that all persons who are not persons at risk are not present in the area where work is performed and that all persons at risk are removed from the affected property when the work is performed.

§ 6-821. Repairs; removal from risks; refusal of tenant; accredited supervision.

(i) Certified mail, return receipt requested; or (ii) A verifiable method approved by the Department. (2) When giving notice to a tenant under this section, the owner shall provide documentation of the notice to the Department in a manner acceptable to the Department. (3) A notice required to be given to a tenant under this section shall be sent to a party or parties identified as the lessee in a written lease in effect for an affected property or, if there is no written lease, the party or parties to whom the property was rented (1994, ch. 114, § 1.)

by: (1) Notice given under this section shall be written, and shall be sent (d) Written notice by certified mail or other approved method; documents-

years after last giving the notice to the tenant. (c) Biennial notice required. — An owner of an affected property shall give to the tenant of the affected property a notice, prepared by the Department, of the tenant's rights under §§ 6-817 and 6-819 of this subtitle at least every 2 years after last giving the notice to the tenant.

(b) Time of notice. — An owner of an affected property shall give to the tenant of the affected property a notice, prepared by the Department, of the tenant's rights under §§ 6-817 and 6-819 of this subtitle upon the execution of a lease or the inception of a tenancy. (1) At least 25% of the owner's affected properties by January 1, 1995; (2) At least 50% of the owner's affected properties by April 1, 1995; (3) At least 75% of the owner's affected properties by July 1, 1995; and (4) 100% of the owner's affected properties by October 1, 1995.

§ 6-820. Notice of tenant's rights.

(a) Required; schedule. — Except as provided in subsection (b) of this section, an owner of an affected property shall give to the tenant of the affected property a notice, prepared by the Department, of the tenant's rights under §§ 6-817 and 6-819 of this subtitle, according to the following schedule: (1) At least 25% of the owner's affected properties by January 1, 1995; (2) At least 50% of the owner's affected properties by April 1, 1995; (3) At least 75% of the owner's affected properties by July 1, 1995; and (4) 100% of the owner's affected properties by October 1, 1995. (b) That execution of this statement by the tenant can affect the tenant's legal rights; and (iii) That if the tenant is not satisfied that the modified risk reduction standard has been met, the tenant should not execute the statement and should inform the owner and that the owner will have the affected property inspected by a certified inspector at the owner's expense. (1994, ch. 114, § 1.)

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§ 6-823. Lead poisoning information packet.

(a) *Initial distribution.* — By December 1, 1994, an owner of an affected property shall give to the tenant of each of the owner's affected properties a lead poisoning information packet prepared or designated by the Department.

(b) *Distribution on execution of lease or inception of tenancy.* — On or after October 1, 1994, upon the execution of a lease or the inception of a tenancy for an affected property the owner of the affected property shall give to the tenant a lead poisoning information packet prepared or designated by the Department.

(c) *Subsequent biennial distributions.* — An owner of an affected property shall give to the tenant of the affected property another copy of the lead poisoning information packet prepared or designated by the Department at least every 2 years after last giving the information packet to the tenant.

(d) *Method of delivery.* — A packet given to a tenant under this section shall be sent by:

(1) Certified mail, return receipt requested; or

(2) A verifiable method approved by the Department.

(e) *Persons to receive packet.* — The packet required to be given to a tenant under this section shall be sent to a party or parties identified as the lessee in a written lease in effect for an affected property or, if there is no written lease, the party or parties to whom the property was rented. (1994, ch. 114, § 1.)

§ 6-824. Disclosure to prospective purchasers; transfers.

An owner shall disclose an obligation to perform either the modified or full risk reduction treatment to an affected property under this subtitle to any prospective purchaser of an affected property at or prior to the time a contract of sale is executed, if:

(1) An event has occurred that requires performance of either the modified or full risk reduction treatment to the affected property under this subtitle; and

(2) The owner will not perform the required treatment prior to the transfer of ownership. (1994, ch. 114, § 1.)

Reserved.

§ 6-825.

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§ 6-829

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§ 6-829. Availability of blood tests.

(a) To make offer or be designated a co-offer. — A person who receives notice under § 6-828 (b) (1) of this subtitle is entitled to the results of any available prior blood lead tests of the person at risk for the purpose of determining whether to make a qualified offer under this subtitle and whether the qualified offer should be designated as a co-offer.

(b) On notice of local health department. — In the event a local health department notifies an owner of an affected property in accordance with § 6-828 (b) (1) of this subtitle, the local health department shall also provide the owner with any blood lead test results and history of residence for the person at risk which the local health department has on record. (1994, ch. 114, § 1.)

§ 6-830. Presumption of prior lead ingestion.

If the concentration of lead in a whole venous blood sample of a person at risk tested within 30 days after the person at risk begins residence or to regularly spend at least 24 hours per week in an affected property that is certified as being in compliance with the provisions of § 6-815 of this subtitle is greater than or equal to 25 µG/DL, or, on and after October 1, 1999, greater than or equal to 20 µG/DL, it shall be presumed that the ingestion of lead occurred before a person at risk began residing or regularly spending at least 24 hours per week in the affected property. (1994, ch. 114, § 1.)

§ 6-831. Authorized offerors; qualified offers.

(a) Persons authorized to make offers. — A qualified offer may be made to a person at risk under this part by:

(1) The owner of the affected property in which the person at risk resides or regularly spends at least 24 hours a week;

(2) An insurer of the owner; or

(3) An agent of the owner.

(b) Designation of co-offeror. — Upon notice to a third party, an offeror may designate the third party as a co-offeror.

(c) Time of qualified offer; contents; requirements. — If a qualified offer is made under subsection (a) of this section, the qualified offer shall:

(1) Be made within 30 days after the offeror receives notice under § 6-828 of this subtitle;

(2) Include the provisions specified in § 6-839 of this subtitle; and

(3) Satisfy the requirements of § 6-832 (a) of this subtitle. (1994, ch. 114, § 1.)

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(1) That an additional response be filed on behalf of the minor, or
(2) Any action the court considers necessary and appropriate to protect
the interests of the minor.

(1) May hold a hearing, and
(2) Shall approve or disapprove the response to the qualified offer.
(d) *Disapproval by court.* — If a court disapproves the response to the quali-
fied offer filed by the person acting on behalf of the minor, the court may
order:

(1) Within 15 days after a response to a qualified offer is filed
with a court under subsection (b) (3) of this section, the court:
(c) *Hearings.* —
(4) The response of the person appointed to respond to the offer on behalf
of the minor is subject to approval by the court.

(2) The court shall appoint a person to act on behalf of the minor within
15 days after the date of filing of the petition.
(3) A person appointed to act on behalf of the minor shall file a response
with the court either rejecting or accepting the qualified offer within 30 days
after appointment by the court.

(i) Petition a court in accordance with the provisions of Title 13, Subti-
tle 7 of the Estates and Trusts Article to appoint a person to respond to the
offer on behalf of the minor, and
(ii) File the qualified offer with the court.

(a) *Unavailability.* — For purposes of this section, a parent or legal guard-
ian of a person at risk who is a minor is unavailable if, following reasonable
efforts, the offeror is unable to locate or communicate with the parent or
guardian of the minor.

(b) *Filing with court.* — (1) If a parent or legal guardian of the minor is
unavailable, the offeror may:

(1) Petition a court in accordance with the provisions of Title 13, Subti-
tle 7 of the Estates and Trusts Article to appoint a person to respond to the
offer on behalf of the minor, and
(ii) File the qualified offer with the court.

unavailable.

§ 6-833. Qualified offers where parent or legal guardian is

offer in the case management file of the person at risk. (1994, ch. 114, § 1.)
(3) The local health department shall maintain a copy of the qualified
poisoning prevention and treatment.

(2) Within 5 business days after receiving the copy of the qualified offer
under paragraph (1) of this subsection, the local health department shall
personally notify the person at risk, or in the case of a minor, the parent or
legal guardian of the minor of State and local resources available for lead
poisoning prevention and treatment.

(b) *Copy to local health department.* — (1) An offeror under § 6-831 of this
subtitle shall send a copy of the qualified offer to the local health department
in the jurisdiction where the person at risk resides.

(a) *In general.* — An offeror under § 6-831 of this subtitle shall send notice
of the qualified offer to the person at risk, or in the case of a minor, the parent
or legal guardian of the minor in the form and manner specified by the De-
partment.

§ 6-832. Notice of qualified offer.

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