



RI REALTORS®

New Lead Laws in RI & How to Comply

The Rhode Island General Assembly approved several new lead laws in the 2023 legislative session. Below is a list of those laws and when they go into effect. The following properties, however, are exempt from lead hazard mitigation requirements.

- » Rental units with a Full Lead-Safe or current Conditional Lead-Safe Certificate
- » Temporary, seasonal housing rented no more than 100 days in a calendar year to the same tenant
- » Housing designated for residents aged 62 or older
- » Owner-occupied properties with two or three units (until January 1, 2024)

There are no specific exemptions for historic properties.

Currently in Effect 2023

- » Water authorities must inspect water service lines and notify property owners and tenants if the property's service line contains lead. Funding is available for the water authorities to replace these service lines. If a landlord fails to cooperate with the water authority's inspection or allow the water authority to replace the service line, a tenant can terminate the lease without penalty.
- » Tenants have the right to pay rent into a district court-managed escrow account if the landlord fails to obtain a current lead certificate. The landlord cannot evict tenant for non-payment of rent or retaliate.
- » Penalties for violation of lead laws have increased to up to three times actual or compensatory damages plus attorney's fees.

Taking Effect January 1, 2024

- » The exemption for owner-occupied two- and three-unit dwellings from the lead hazard mitigation law will be eliminated in 2024. Owners of these properties must obtain lead certificates if the property was built before 1978.
- » Purchase and sales agreements must give buyers a period of ten days to inspect for lead hazards if the property was built before 2011 instead of 1978. In 2011, a federal law reduced the amount of lead allowed in "lead-free" pipes and plumbing materials.
- » All other lead laws, including disclosure laws and lead hazard mitigation continue to apply only to properties built before 1978. The RIAR Forms Committee is in the process of updating the RIAR Purchase and Sales Agreement to include new lead inspection language.

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Taking Effect September 1, 2024

- » Landlords must register their property and current lead certificates with the RI Department of Health.

Best Practices

Landlords and/or property managers of pre-1978 rental property should complete a 3-hour lead class and share the RI Department of Health's "What is the Lead Hazard Mitigation Law? Owner Requirements" fact sheet with landlords and future landlords of pre-1978 rental property.

Landlords should also have their rental property inspected by an Environmental Lead Inspector and if work must be done, the landlord must hire licensed professionals. Visit health.ri.gov/find/leadinspectors to browse a list of licensed lead professionals.

Finally, make sure that landlords and sellers of pre-1978 property are using the most current revised Seller and Lessor Lead Disclosures from the RI Department of Health and that they have current lead certificates. Though not needed for the sale, the buyer may wish to negotiate this with the seller.

For more information, please contact the RI REALTORS® Legal Department at 401-432-6945 or email monica@rirealtors.org.

