

hud NEWS

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Brian Sullivan
(202) 708-0685

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BALTIMORE AND NEW JERSEY LANDLORDS SETTLE LEAD-BASED PAINT DISCLOSURE CASES

Landlords agree to spend an estimated \$750,000 to make 140 units lead-safe

WASHINGTON – The U.S. Department of Housing and Urban Development today announced settlements against landlords in East Orange, New Jersey and Baltimore, Maryland for failing to warn their tenants that their homes may contain potentially dangerous lead. Under the terms of the settlements, HUD will require abatement of lead hazards in 108 apartments in three multi-family properties in East Orange, and lead-safe window replacement in 32 units in the Baltimore area (see attached list).

In addition to paying more than an estimated \$750,000 to perform this lead remediation work, the landlords agreed to pay civil penalties totaling \$54,000.

“These settlements help us move closer toward our goal of eliminating childhood lead poisoning,” said HUD Deputy Secretary Roy A. Bernardi. “Cases like these also help remind all landlords that they have a legal responsibility to make certain their tenants know whether the homes they rent can potentially harm their children.”

According to HUD’s investigation, Benjamin H. Realty and Benzel Associates; Lewis Coley, Jr. and Helena Coley; and Kenneth B. Mumaw and K&M Associates violated the Federal [Residential Lead-Based Paint Hazard Reduction Act \(Residential Lead Act\)](#) by failing to inform tenants that their homes may contain potentially dangerous levels of lead.

Benjamin H. Realty and Benzel Associates (East Orange, NJ)

Benjamin H. Realty and Benzel Associates agreed to perform lead-based paint risk assessments and lead-based paint hazard abatement for 108 units in three multi-family residential properties they own and manage in East Orange, New Jersey. HUD estimates that the companies will pay approximately \$648,000 to have lead-based paint testing and hazard abatement work done in the properties. In addition, they have agreed to pay a \$50,000 civil money penalty.

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Lewis Coley, Jr. and Helena Coley (Baltimore, MD)

Lewis Coley, Jr. and Helena Coley (“Coley”) will conduct lead-safe window replacement work in 11 single-family residential properties and 1 duplex, at an estimated cost of approximately \$62,725 and pay a \$2,000 civil money penalty.

Kenneth B. Mumaw and K&M Associates (Baltimore, MD)

Kenneth B. Mumaw and K&M Associates (“Mumaw”) will conduct lead-safe window replacement work in 13 residential properties, containing 19 total units, at an estimated cost of approximately \$77,650 and pay a \$2,000 civil money penalty.

Background

The Residential Lead Act is one of the primary federal enforcement tools to prevent lead poisoning in young children. The Lead Disclosure Rule requires home sellers and landlords of housing built before 1978 to disclose to purchasers and tenants knowledge of lead-based paint or lead-based paint hazards using a disclosure form, signed by both parties, attached to the sales contract or lease containing the required lead warning statement, provide any available records or reports, and provide an approved "Protect Your Family From Lead in Your Home" pamphlet. Sellers must also provide purchasers with an opportunity to conduct a lead-based paint inspection and/or risk assessment at the purchaser's expense. Acceptable lead disclosure forms can be found at www.hud.gov/offices/lead/enforcement/disclosure.cfm.

Health Effects of Lead-Based Paint

Lead exposure causes reduced IQ, learning disabilities, developmental delays, reduced height, poorer hearing, and a host of other health problems in young children. Many of these effects are thought to be irreversible. In later years, lead-poisoned children are much more likely to drop out of school, become juvenile delinquents and engage in criminal and other anti-social behavior. As reported in the New England Journal of Medicine, researchers found that even at low levels, lead exposure in children can significantly impact IQ and even delay puberty in young girls.

At higher levels, lead can damage a child's kidneys and central nervous system and cause anemia, coma, convulsions and even death. According to the Centers for Disease Control and Prevention (CDC), about 310,000 of the nation's 20 million children under the age of six have blood lead levels high enough to impair their ability to think, concentrate and learn.

Eliminating lead-based paint hazards in older low-income housing is essential if childhood lead poisoning is to be eradicated. According to CDC estimates, the percentage of children with elevated blood lead levels has been cut by two-thirds since the early 1990's, although the prevalence of childhood lead poisoning in low-income, older housing without federal assistance remains high. HUD estimates that the number of houses with lead paint has declined from 64 million in 1990 to 38 million in 2000. About 24 million homes still have significant lead-based paint hazards.

Properties subject to these settlement agreements include:

Benjamin H. Realty and Benzel Associates Properties (East Orange, NJ):

Property Address	Number of Units
46 North Arlington Avenue	36
52 North Arlington Avenue	31
500 S Hairson Street	41
Total	108

Coley Properties (Baltimore, MD):

Property Address	Number of Units
1700 Abbotston	1
1808 Aiken Street	2
1723 N. Chapel Street	1
1413 N. Chester Street	1
941 N. Chester Street	1
1823 N. Chester Street	1
1628 N. Durham Street	1
2222 Henneman Avenue	1
1236 E. Lafayette Avenue	1
1238 E. Lafayette Avenue	1
718 Mura Street	1
2227 N. Prentiss Place	1
Total	13

Mumaw Properties (Baltimore, MD):

Property Address	Number of Units
1519 Argyle Avenue	1
1904 Cecil Avenue	2
4900 Denmore Avenue	1
1604 Division Street	2
2065 Druid Park Drive	3
816 N. Fulton Avenue	2
501 Gold Street	1
3516 Hayward Avenue	1
3526 Hayward Avenue	1
2813 Kennedy Avenue	1
255 N. Monroe Street	1
2807 Waldorf Avenue	2
3100 Woodland Avenue	1
Total	19