

Lead Safety & Conformance

Explained for Historic Homeowners and Landlords **August 2025**

Produced by the Rhode Island Historical Preservation & Heritage Commission *in partnership* with the Rhode Island Department of Health

Summary

Most of Rhode Island's housing was built before 1978, when lead-based paint was banned in the United States. This means that the majority of rental units in Rhode Island are likely to contain remnants of lead paint, which will need to be treated appropriately to ensure tenant safety. Landlords must get a *Certificate of Lead Conformance* stating that a property is "lead safe." A certificate is valid for two years.

Landlords who rent one or more units are also required to register their rental properties on the [Rhode Island Rental Registry](#) annually.

SUMMARY OF ACTION STEPS

1. Assess your property and make any necessary repairs.
2. Select a lead inspection company and schedule an inspection. You can ask in advance what equipment/methods the company uses. Demand is currently high and two weeks' notice is recommended.
3. As close to your inspection as possible, thoroughly clean the dwelling unit, paying particular attention to corners, door thresholds, window casings, and anywhere dust accumulates or painted surfaces rub.
4. FAILED INSPECTION
 - a. Your lead inspector should produce an inspection report that tells you which parts of the inspection did not pass and by how much. This will inform next steps.
 - b. Determine which lead hazard mitigation strategy is appropriate for your property and schedule the necessary work. Clean again, wiping down all surfaces and vacuuming and mopping well.
Note: The lead time on significant repairs and/or window replacement can be weeks to months.
 - c. Schedule a re-inspection.
 - d. Clean again, wet wiping down all possible test surfaces, as close to the inspection as possible.
5. YOU PASSED INSPECTION! The Lead Inspector will issue a Certificate of Lead Conformance. This process can take 1-2 weeks.
 - a. List the unit on the Rental Registry.
 - b. Provide your tenant(s) with a copy of the certificate and post it in a visible location on-site.

Failure to certify and register your rental property will result in monthly penalties.



Does this apply to me?

The amended law applies to anyone who owns and rents out a residential property or apartment.

This **includes property owners renting to family members and friends**. If the property owner does not live in the unit, it must comply with lead-safety regulations, and **listing on the Registry is mandatory**.

Lead-Safety Basics



What does lead inspection and regulatory compliance look like?

All pre-1978 painted surfaces should be assumed to contain lead-based paint that exceeds the lead-safe threshold. [Read the full lead safety legislation](#) (2023).

Lead Inspectors will visually inspect the unit looking for chipping or disturbed paint. Then they will test select painted surfaces using a combination of the approved methods below. All painted surfaces must be intact, without scratches / major cracks / divots / chipping or peeling. The property must be determined to be lead-safe according to standards set by the Environmental Protection Agency and the State of Rhode Island.

- **Dust wipe:** Samples are collected from nearest entries, in high-traffic areas, under windows, and in areas frequently used by children. Dust wipe samples are required for every inspection.
- **X-Ray Fluorescence (XRF) Gun/Analyzer:** Used to scan painted surfaces onsite to identify whether lead paint exists, even if it's encapsulated. Inspectors are not required to use or carry an XRF gun.

Rhode Island no longer uses paint chip samples to test for lead.

If a unit passes inspection, a **Certificate of Lead Conformance** (CLC) will be issued to the landlord/property owner. Landlords cannot list a rental property on the Registry without a certificate, and it is **valid for two years** from the inspection date.

- Property owners with 10+ residential rental units may apply for a [Certificate of Presumptive Compliance](#), which only requires a lead inspection of 5% of the total units.

<u>Important Notes</u>	<u>Testing Areas</u>
<ul style="list-style-type: none">● Any common areas accessible to tenants must also pass lead inspection, including stairways, laundry areas, etc. Locked, inaccessible areas do not need to be tested.● Current regulations require rented dwelling units to be lead-safe, which is different from lead-free.● Rental units must still comply with all relevant building codes. Landlords cannot nail windows or doors closed to avoid surface friction.	<div>Windows</div> <div>Doors & Thresholds</div> <div>Trim</div> <div>Floors</div> <div>Interior & Exterior Walls</div> <div>Any chipped or peeling surface</div>



WHAT IF MY PROPERTY FAILS INSPECTION?

You need to hire a [licensed lead professional](#) to address the areas of concern before retesting. Understanding which specific areas failed the first inspection will help guide your remediation efforts. Once the lead hazard has been addressed, a new lead inspection is required.

It is the property owner's right to seek a second opinion from another inspection company. There is no limit to the number of times you can have your property inspected – sometimes landlords find that a thorough cleaning between inspections is enough to tip a Fail into a Pass.

Landlords who do not obtain a Certificate of Lead Conformance and list their rental units on the Registry will incur monthly fines. Landlords who are not registered cannot proceed with eviction action.

The Rhode Island Department of Health plans to start issuing fines later in 2025.

- Failure to register rental unit: \$50/month per unit
- No valid lead-safe certificate: \$125/month per unit; up to \$1,000 per violation for repeated non-compliance.

EXEMPTIONS

Short-term rentals and temporary housing are exempt from inspection.

The unit must be a seasonal place of residence that is rented for no more than 100 days per calendar year to the same tenant, where no lease renewal or extension can occur.

Condominium Units

Inspection is limited to the interior of the building. Interior and exterior common areas are exempt from inspection.

Long-Term Tenants

If a unit has received a CLC under current guidelines and tenants remain in place for at least two years, landlords can apply for an [Affidavit of Completion of Visual Inspection](#) in place of renewing their CLC every two years.

Working with Lead Inspectors

[Licensed lead inspection companies](#) are privately run businesses, and individual practices may vary. Landlords are entitled to have multiple lead inspections conducted at their own expense.

Rhode Island is a "Lead-Safe" state. You may encounter an inspector who insists properties must be lead-free, rather than lead-safe, to receive a Certificate of Lead Conformance. This is incorrect. Historic properties are not expected to be lead-free, but are expected to meet safety standards.

Inspectors are also split on whether any friction automatically results in a failed test, and this has already caused significant confusion among homeowners and contractors alike. The State of Rhode Island considers a friction surface one that shows wear and tear.

Lead-Safe

"Lead-safe" means lead paint is present and the hazard is sufficiently mitigated or contained.

Painted surfaces are well-maintained and not deteriorated or flaking. The lead hazard is contained and does not represent an exposure pathway to residents.

Lead-Free

"Lead-free" means the area is free of lead paint and no lead hazard exists.

It is virtually impossible to make painted historic wood lead-free because the original lead-based paint is absorbed into the wood over time.

If you believe you have received misinformation or a bad inspection, please report your experience to leadprogram@health.ri.gov.

Lead Hazard Control for Older Buildings



Painted windows and doors present the biggest safety challenge because friction causes painted surfaces to deteriorate and paint dust to spread throughout the home. Inspectors pay particular attention to these areas. Regular maintenance and cleaning of friction surfaces will improve your chances of containing lead paint and passing an inspection.

No solution is currently 100% guaranteed to result in a successful inspection.

SOLUTIONS FOR HISTORIC WOODEN WINDOWS

Full Window Replacement Options	Wood replicas*	Service life: 100+ years with regular maintenance Average cost/window: \$1,500
	Vinyl replacements	Service life: 25-35 years, component parts cannot be repaired Average cost/window: \$600
Lead Mitigation Options	Vinyl or aluminum track insert*	Service life: 30 years Average cost/window: \$1,500
	A track is inserted inside the existing window to eliminate all wood-on-wood friction.	
	Strip and seal existing windows*	Service life: 100+ years with regular maintenance Average cost/window: \$60,000-120,000 for 40 windows
	Existing wood windows are stripped of all paint, treated with a sealant, and painted.	
	Immobilize windows*	
	The upper window sash may be immobilized to prevent friction on painted surfaces, as long as it complies with the building code.	
	Wooden window restoration*	Service life: 100+ years with regular maintenance Average cost/window: \$1,200
	Existing wood windows are fully restored and repainted, encapsulating the lead hazard.	This has been the primary method of lead hazard mitigation for older properties, using methods and guidelines issued by the National Park Service.

*[Preserve Rhode Island](#) maintains a list of recommended licensed contractors who are qualified to restore and replace historic windows.



IF MY WOOD WINDOWS HAVE ALREADY BEEN RESTORED, WILL THEY PASS INSPECTION?

It depends on the inspector and how recently they were restored.

If your windows have been fully restored and repainted, and the paint is in good condition, they *might* pass a lead-safety inspection, but it is not guaranteed. Inspectors can refuse to test original windows if they presume the property will fail based on a visual inspection, and it is your right to seek another opinion.

Additionally, standards for acceptable lead levels have recently changed, becoming more conservative. Homes that may have passed a lead inspection in 2005 might no longer meet the required standards.

Resources & Funding



Is there funding to make my property lead-safe?

Cost is undeniably the most significant hurdle to getting a clean inspection and Certificate of Lead Compliance. Inspections cost approximately \$200-400 each, and repairs and remediation expenses can quickly climb into the thousands.

Additionally, historic properties can face higher-than-average maintenance and mitigation costs due to specialty materials, specialized trades knowledge, and a shortage of qualified and knowledgeable tradespeople.

[RIHousing's LeadSafe Homes Program](#)

Offers forgivable loans to property owners to cover the costs associated with addressing lead paint hazards and other unsafe conditions. The assistance is typically free, with no out-of-pocket expenses or monthly payments for the property owner or tenant. Income-restricted.

[Rhode Island Residential Lead Abatement Income Tax Credit](#)

Landlords are eligible to receive a tax credit of up to \$1,500 per unit for lead mitigation work and up to \$5,000 per unit for lead abatement work, applicable to up to three units per year.

Local Programs

Two municipalities in Rhode Island currently offer additional financial assistance programs for lead hazard reduction.

[Providence](#) disburses a federal grant to provide free comprehensive lead-based paint inspections at eligible properties (Total: \$6.5 million). Income restricted.

Contact: Paula Baron
401-680-8427
pbaron@providenceri.gov

[Woonsocket](#) also runs a residential lead-paint remediation program for households that earn under a certain income level and have children who are 6 or younger who live on the property (Total: \$4.5 million).

Contact: [\(401\) 597-0845](#)

Contractor & Preservation Resources

The majority of lead poisoning cases originate in the workplace, primarily among tradespeople and contractors. This is why [hiring a licensed lead professional is required](#).

Contractors and experts who know old buildings

Preserve RI's [Preservation Services Directory](#): Database of companies and contractors who know how to work with older buildings.

Providence Preservation Society's [Contractor Referral](#) list: Preservation companies and contractors recommended by the membership.

[Providence Revolving Fund](#): A non-profit real estate development and loan fund that also offers technical assistance and architectural salvage. Available to residents outside Providence.

STILL HAVE QUESTIONS?

We know this can be confusing. As the State implements the Rhode Island Rental Registry and lead testing for all owner-occupied rental properties, guidance is evolving, and new questions often arise.

The HPHC is still navigating how best to apply State lead-safety regulations to historic properties, especially those in Local Historic Districts, where local preservation statutes and state lead-safety compliance may conflict.

We also understand many property owners' questions are nuanced, and we encourage you to reach out to our office directly. This includes, but is not limited to, questions regarding:

- Tax credit projects
- National Historic District/Landmark properties
- Replacement window options
- Working with lead inspectors and lead contractors

The Historical Preservation & Heritage Commission is committed to preservation best practices and keeping the state's historic housing stock in service, while also upholding state safety standards.

CONTACT

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RI Historical Preservation
& Heritage Commission

