

FACT SHEET



Lead Based Paint Disclosure Requirements for Auctioneers

February 2003

Attention Auctioneers

If you sell certain housing built before 1978 at an auction, you are required to comply with 40 C.F.R. part 745, subpart F - *Disclosure of Known Lead-Based Paint and/or Lead-Based Paint Hazards Upon Sale or Lease of Residential Property*

(**A**Disclosure Rule[®]). This Rule was developed and written pursuant to Section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, 42 U.S.C. 4852d.

The Disclosure Rule requires all sellers and their **AA**gents[®] to provide certain information about lead-based paint to prospective buyers before they are obligated under a sales contract. The Disclosure Rule defines an **AA**gent[®] as any party who enters into a contract with a seller or representative of the seller for the purpose of selling target housing. This definition includes auctioneers.

The Disclosure Rule applies to target

housing, which is defined as any housing constructed prior to 1978, except housing for the elderly or persons with disabilities (unless any child who is less than 6 years of age resides or is expected to reside in such housing) or any 0-bedroom dwelling.

The requirements of the Disclosure Rule are explained further in this information package.

Additional information about the Disclosure Rule may be found at the following website: www.epa.gov/lead

You may contact the U. S. Environmental Protection Agency (EPA) Region 7 lead program with additional questions by calling (913) 551-7020 and asking to speak to someone in the lead-based paint program.

Your failure to comply with the Disclosure Rule may result in penalties of up to \$11,000 per violation.