

# Get the Lead Out (of Sight)

BY TIM ROWLAND

I am now the proud owner of a duly inspected and certified house that complies with all of the lead paint abatement laws of the State of Maryland.

While I find it a pity that there are no state-law abatement laws, I do what they tell me to do in order to be compliant. And I fully acknowledge that the eradication of lead in our daily lives is a good thing because of the damage it can do to children's brains. But after what I've been through, I can attest that compliance with Maryland's lead paint law can cause just as many stress-related health problems as any environmental toxin.

My journey began when, a few years ago, my ex-wife left me the house. It's a product of our modern-day housing environment that divorcing couples will fight, not over who gets the house, but over who has to take it. Long story short, I lost.

It wouldn't sell, of course, so I decided to rent it. I signed it over to a management company and, thinking I had washed my hands of the whole thing, was halfway out the door when the agent grabbed me by the collar and dragged me back in.

We had to talk about — lead paint.

My agent said that tenants, some of them at least, are a crafty lot. They know that if a rental does not have its lead-abatement certificate, they can legally stop paying rent without fear of eviction. So my agent, a painter, and a building contractor met with me at the house to strategize.

It turned out they all knew the government inspector well, so they knew the infractions that she was unlikely to



notice and the ones that would “make her go ape.” Windows were especially problematic. She would test one window per room, they knew, and it was always the one in the middle. So theoretically, only one window per room needed “treatment.”

The treatment itself was fascinating. The middle windows needed to be sanded and primed, but not painted (for some reason). The next step was to apply Simple Green All-Purpose Cleaner to the sill and — this was critical, apparently — wipe it off *in one direction only*. Then a sheet of wax paper was placed on each “treated” sill and the window gently lowered on top of it. Seconds before the inspector walked up to the porch, workers removed the wax paper and hid it in their pockets. All things considered, it seemed more like the work of witch doctors than contractors.

But the joke was on my contractor (and me, of course): the house failed miserably. The problem wasn't the windows; it was traces of lead varnish on the hardwood floors.

My new tenants were moving in that weekend and they were not happy. They couldn't have cared less that the State of Maryland found traces of lead on the floors. No, they were ticked because, as they were trying to move in, a contractor was frantically applying a coat of what appeared to be clear nail polish to the floors to encapsulate stray lead specks.

Fortunately, my tenants are good people. He's a school teacher and she's a nurse, and they do not have young children who spend time on the floor munching on lead paint chips. So they weren't bothered by traces of lead varnish. They were far more concerned with the amount of rent they'd be paying and the home's amenities.

I am an amateur landlord, so I didn't bother figuring the \$2,000 worth of lead paint work (including \$419 to the state for the certificate) into the rent. But every time the tenants turn over I'll be subjected to more scrutiny, and there are rumors that far more intrusive lead paint regulations are on the horizon. If I were doing real-for-sure balance sheets, I'd add perhaps \$50 to the \$1,200 monthly rent to cover the lead abatement costs, although I'd have to hope that renters wouldn't head to neighboring states with much easier lead paint regs.

Wouldn't it be easier to treat a lead-free home as an option (perhaps a legal requirement for those with young children) that tenants could choose in an open marketplace, just as they might shop for an apartment with air conditioning or a dishwasher? Tenants could shop for lead-free certified apartments with the understanding that the cost of abatement was part of the rent. Heck, if a tenant finds an apartment that is to his liking, but it's not certified lead-free, he could even carry out his own lead abatement process on his own dime, just like he could install a washer/dryer. He might even be eligible for, oh I don't know, say a \$419 tax credit that would go toward actual lead paint abatement rather a paper certificate.

Not that I want to put any government inspectors or wax paper manufacturers out of business... **R**

TIM ROWLAND is a columnist and humorist for the (Hagerstown, MD) *Herald-Mail* newspaper. His latest book, *Strange and Obscure Stories of the Civil War* (New York, Skyhorse Publishing) will be released this fall.