

Environmental

Advocates

NY

# EANY SUPPORTS Toxic Lead Disclosure



Memo #20

[A.6608-A \(Rivera JD, et al.\)](#) / [S.2142-A \(Kavanagh, et al.\)](#)

## Explanation:

This bill requires residential properties built before 1978 to be tested for lead paint before a sale can occur. The bill also amends the seller's property condition disclosure statement to include notice to potential buyers that if they are concerned about lead in drinking water, they should have the water service line inspected for lead.

There are an estimated 360,000 lead service lines in New York, which are the primary contributor to lead in drinking water. The exact number of these water pipes across the state, however, is still not known, and many property owners may be unaware that they have one. While the US Environmental Protection Agency (EPA) will soon require water utilities to annually notify property owners who have a lead service line or a service line of unknown material composition, EPA is not specifically requiring notification during property sales.

There is no safe level of lead exposure. It is critical to eliminate all sources of lead, including lead in drinking water, as swiftly as possible. Formula-fed infants can receive up to 60% of their lead exposure from drinking water.

This bill will expand awareness about the presence of lead paint and lead service lines. The more knowledge there is about the presence of these dangerous sources of lead, the more quickly property owners can make informed decisions about how to eliminate exposure and make properties safe for sale.

To strengthen this legislation, we recommend that the bill also require residential homes be inspected by a licensed plumber for the presence of a lead service line before the sale of a property. Disclosure of lead service lines at point of sale ensures another significant pathway to lead exposure is known and addressed.

## Summary:

This act amends the Real Property Law in relation to requiring the disclosure of lead-based paint test reports in real estate transactions, including amendments to the property condition disclosure statement.