



MEMORANDUM

To: Assembly Housing and Community Development Committee Members
From: Nicholas Kikis, VP of Legislative and Regulatory Affairs
Date: October 15, 2018
Re: **NJAA Testimony on Hearing to Discuss Mold, Lead, and Other Environmental Concerns Impacting Affordable Housing**

On behalf of the New Jersey Apartment Association (NJAA), and our members who own, develop, and manage safe, clean, and affordable rental housing for over a million New Jersey residents, we thank you for the opportunity to testify before you regarding lead, mold, and other environmental issues of concern to affordable housing. Our membership consists of professionals who take appropriate measures to ensure that their communities are safe. We appreciate this committee's discussion of these issues today, and we look forward to a continued dialogue with you on these issues and on ensuring that the state can reach the goal of building or preserving 100,000 units of affordable housing in the next ten years.

NJAA worked with the Legislature in 2003 to enact the current comprehensive framework to address lead-based paint in multifamily housing. The resulting law, the Lead Hazard Control Assistance Act, along with federal regulations, establishes a comprehensive framework for addressing lead-based paint in multifamily housing. **Under this law, all multifamily rental housing units in New Jersey are required to be free of lead-based paint hazards.**

NJAA members have spent millions of dollars removing lead-based paint where it has been feasible to do so, and properly managing lead-based paint in cases where removal has not been feasible.

Where it has not been feasible to remove the lead-based paint completely, apartment owners are required under federal and state regulations to take extensive measures to manage the lead safely. This includes: removing lead-based paint from friction surfaces, such as window frames and door jams; inspecting paint to ensure that it remains intact; and following lead-safe work practices during renovation activity that disturbs painted surfaces. NJAA holds training sessions on lead-safe work practices to educate and certify maintenance technicians on the requirements for working with lead-based paint. These include: notifying tenants before work begins, containing the work area, minimizing dust, cleaning up thoroughly afterwards, and verifying that the area is safe through dust wipe sampling prior to tenants returning to the area.

As a testament to the effort of the multifamily industry, today, very few cases of lead poisoning are sourced to professionally managed rental housing. In fact, during the time since this law has taken effect, **New Jersey has seen a 600% reduction in cases where children have had elevated blood lead levels greater than five micrograms per deciliter**, the federal level of concern. Data from the New Jersey Department of Health show that rates declined from 12% in 2003 to 2.1% in 2017.



As it relates to mold, NJAA members take proactive steps to address mold within apartments, and to respond to resident concerns when they arise. It is important to note that mold is everywhere in our environment, both indoors and outdoors, and can be detected year-round. **There are hundreds of thousands of species of mold, each which affects different people differently.** As such, neither the CDC or the EPA have established standards on exposure to mold.

For this reason, mold is not directly regulated; however, **the conditions that contribute to mold growth, water and moisture, are regulated by our building codes.** For example, if there is a leaking pipe that is causing mold to grow, a building owner should be cited for the leaking pipe, and be required to remediate it.

NJAA is working with Assemblyman Benson on legislation, A-1433, that would require regulators to develop standards on mold remediation work, including the contractors who specialize in this area. Added regulatory guidance and professionalization of the mold remediation industry can have benefits for residents and owners alike.

Again, we thank you for your attention to these issues and we look forward to a continued dialogue on these issues. If you have any questions or if you would like to discuss further, please do not hesitate to contact me at 732-992-0600 or nicholas@njaa.com.

The New Jersey Apartment Association represents over 200,000 multi-family apartment units throughout the State of New Jersey. We are a statewide organization dedicated to maintaining, improving, and building both market-rate and affordable rental housing that serves over one million New Jersey residents.