**Section 845.25 Disclosure Requirements**

a) An owner of a regulated facility who has received a mitigation notice under Section 9 of the Act shall, before entering into a lease or purchase agreement for the regulated facility for which the mitigation notice was issued, provide prospective lessees or purchasers of that unit with written notice that a lead hazard has previously been identified in the regulated facility. An owner may satisfy this notice requirement by providing the prospective lessee or purchaser with a copy of the inspection report, mitigation notice and subsequent certificate of compliance prepared pursuant to Section 9 of the Act.

b) Before entering into a residential lease or purchase agreement, all owners of regulated facilities built before 1978 shall inform prospective lessees or purchasers of the potential health hazards posed by lead by providing the prospective lessee or purchaser with a copy of an informational brochure on lead poisoning. The disclosure and informational brochure shall be consistent with the requirements set forth in 40 CFR 745, subpart F (Disclosure of Known Lead-Based Paint and/or Lead-Based Paint Hazards Upon Sale or Lease of Residential Property).

c) No more than 60 days before beginning lead mitigation or lead abatement in any regulated facility, a lead abatement contractor shall, at a minimum:

1) Provide the owner with the pamphlet as required in subsection (b) of this Section, and comply with one of the following:

A) Obtain from the owner a written acknowledgment that the owner has received the pamphlet; or

B) Obtain a certificate of mailing from the United States Postal Service (USPS) at least 7 days prior to beginning the lead mitigation or lead abatement; and

2) Provide the tenant with the pamphlet required in subsection (b) of this Section and comply with subsections (c)(1)(A) and (B) of this Section, or:

A) Obtain from the tenant a written acknowledgment that the tenant has received the pamphlet. If the lead abatement contractor cannot get written acknowledgment from the tenant, the lead abatement contractor shall document the attempts and the reason why the acknowledgment was not obtained (i.e., tenant refused, no tenant available); or

B) Obtain a certificate of mailing from the USPS at least 7 days prior to beginning the lead mitigation or lead abatement.

(Source: Amended at 43 Ill. Reg. 2440, effective February 8, 2019)