CITY OF CLEVELAND
Mayor Justin M. Bibb

Strategic Path Forward for the 2019 Lead Safe Certificate Law

October 19, 2026 | Cleveland City Council

Health, Human Services, and the Arts Committee

Why we're here

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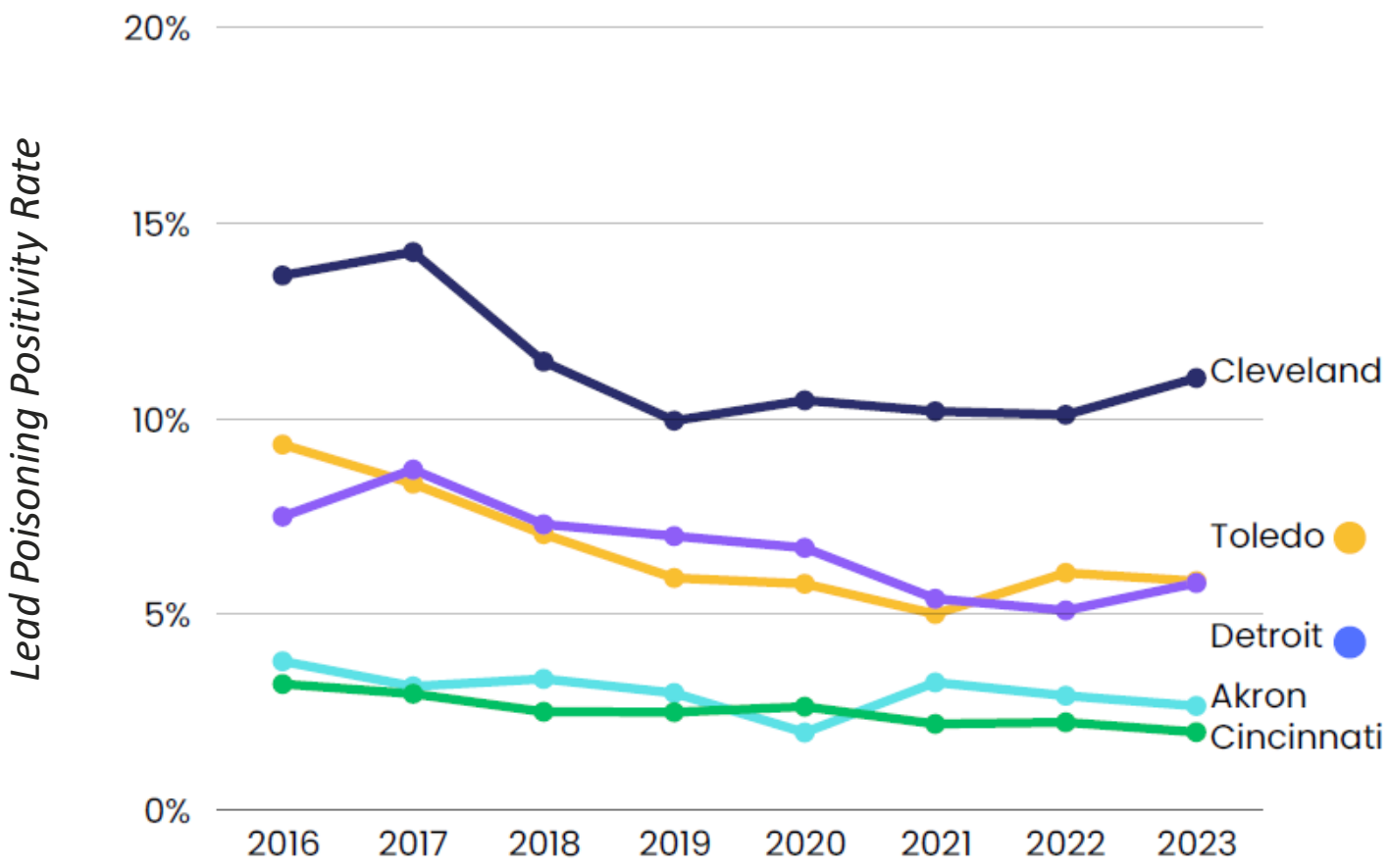
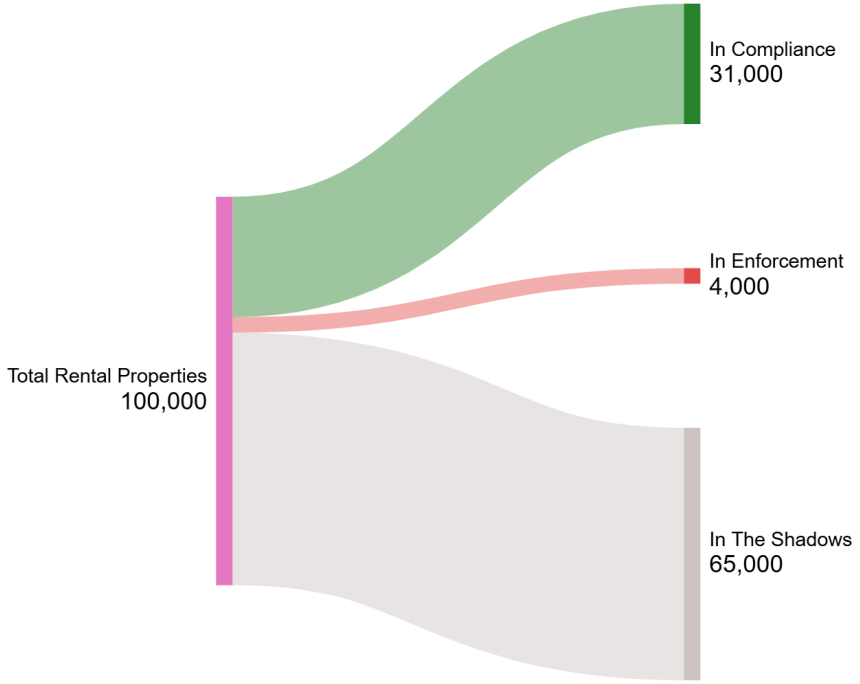


Why we're here

- Ordinance 747-2019 created Cleveland's Lead Safe Certificate program. It took effect in 2021.
- The goal is to test properties for lead before a child is poisoned. The child should not be a lead detector
- For seven years, putting the law into practice has been a shared project of the Coalition and the City. As we've understood more we've seen ways to improve the legislation



2019 — Ord. 747-2019 passes

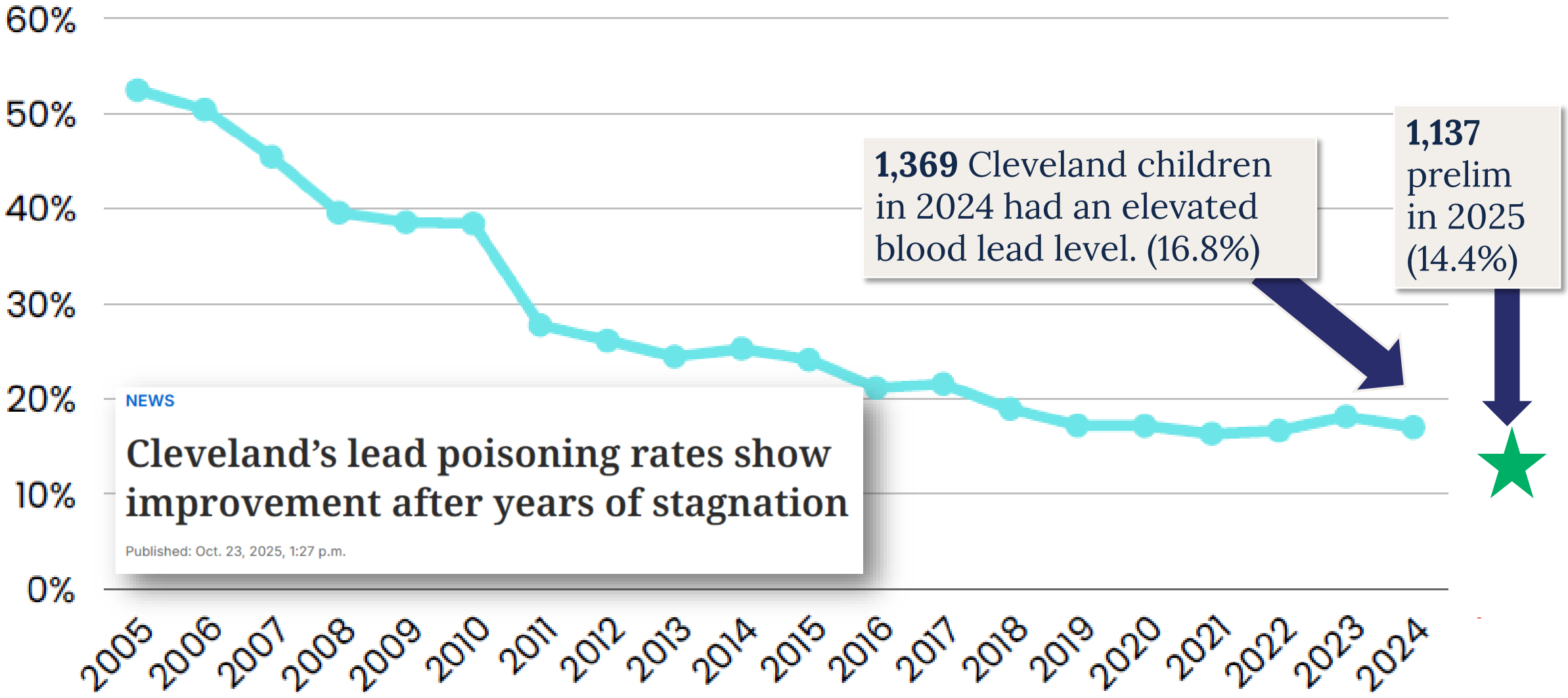
2021 — Program takes effect

Apr 2026 — LSCC sends recommendations

Sept 2026 — LSCC & Partner review

Next — City Council

We have seen progress on our testing numbers. But we won't stop until we have the most effective rental registry in the country and we see our numbers declining even more



Months of research, conversation and revision

LSCC Policy Committee

One-on-one briefings with every active member; also presented to Enterprise

Peer cities & states

Rochester, Toledo, Syracuse, Rhode Island and New York State

Landlords

Landlord representatives and real estate & broker repesentatives

Tenant advocates

Community groups and Legal Aid attorneys

Lead workers

Risk assessors and contractors working in Cleveland homes every day

City staff

Making sure changes work in the real world, not just on paper

Lead Safe Auditor & LSAB

Best practices from other cities; Board co-chairs briefed

Five values guided the proposals choices

Reward investments that protect kids

Reward work that gets properties from lead safe to lead safer, even short of whole-home abatement.

Put effort where the risk is

Recognize risk through the age of the home and risky components.

Harm reduction, not perfection

No regime will make every home lead-free. We must balance impact and administrability.

Keep it simple

Every landlord, tenant, and lead worker should be able to understand the program.

Back the law with action

Pair these amendments with administrative progress on enforcement.

Strategy Package for Lead Safe Certificate Program

1

Update the Certificate Schedule

Move away from one-size-fits-all to rules that reward investments and protect kids

2

Create Quality Control Standards

Establish Cleveland-based standards for risk assessments and risk assessor licenses so that that tests are standards

3

Make Other Legislative Fixes

Make various small fixes to the program to improve administration

4

Improve Enforcement

We must improve enforcement to bring more properties out of the shadows

5

Rebuild Resources

We must continue to develop and deploy resources to support more lead-safe work

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Before You Today

2026-2027

Admin & Partner Work

PART ONE

The Certificate Schedule

1 Modernize the Certificate to Schedule

THE CURRENT SCHEDULE

- 2 years for getting property a lead-safe standard
- 20 years for getting a property to a lead abatement standard

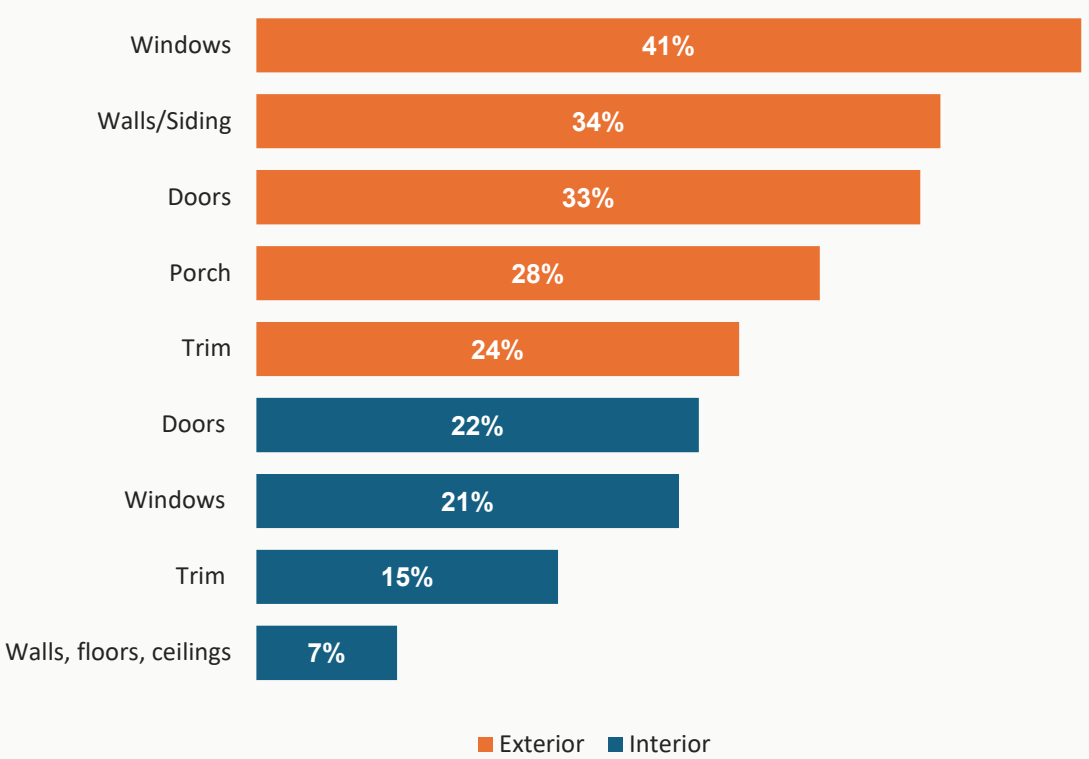
1 Adopt a certificate schedule that rewards investment and risk-grading

Term	*Short Name*	*Test*	*Extras*
3 years	**Base Certificate**	Passing lead risk assessment	*None*
5 years	**Windows Bonus Certificate**	Passing lead risk assessment	+ all movable and accessible windows are lead-free
10 years	**Track Record Certificate**	Passing lead risk assessment	+ two previously passing risk assessments or clearances
	Post-1960 Certificate	Passing lead risk assessment	+ home was built after 1960
	Multi-Component Certificate	Passing lead risk assessment	+all movable and accessible **windows** are lead-free, all exterior **doors** and door jambs are lead free, and the **porch** is lead-free
20 years	**Abatement Certificate**	Passing LIRA (Lead Paint Inspection + Risk Assessment) showing abatement of all lead hazards, including nonpermanent methods like encapsulation	

1 Adopt a certificate schedule that rewards investment and risk-grading

Term	*Short Name*	*Test*	*Extras*
Exempt	**Lead-Free Properties Exemption**	Passing LIRA (Lead Paint Inspection + Risk Assessment) showing property is fully lead-free from permanent abatement methods	
Exempt	**Non-Target Housing Exemption**		Evidence the property meets HUD's non-target housing definition for dormitories, senior facilities, etc.
Exempt	**Gut Rehab and Commercial Conversion Exemption**		Evidence the property has removed all substrates that could have lead-based paint

1 Why windows come first



Source: Jacobs, 2002, Table 5.3. Lead-based paint as defined by the federal standard (1.0 mg/cm² or 5,000 ppm).

WHY

- The Windows Bonus is the first rung of the investment ladder, and it's meant to be reachable.
- National data and local XRF data put windows among the riskiest components.
- Lead workers say the friction of old windows moving up and down is one of the most common sources of poisonings they see.
- HUD requirements include window sills and troughs as key testing areas in old homes.

PART TWO

Improving Testing Quality

2 Adding a local risk assessment standard and a local inspection license

THE RECOMMENDATION Adopt "Local Lead Risk Assessment" and "Local Lead Clearance Exam" definitions throughout Chapter 365, and establish a Local Lead Inspection License.

WHY THIS HELPS

- Gives us local control to increase assessment standards, like adding photo requirements
- Helps us establish standardization and predictability for landlords and risk assessors
- Allows us to institute a quality control program with public scorecards.

2 Adding a local risk assessment standard and a local inspection license

LEGISLATIVE TEXT

"Local Lead Clearance Examination" means a systematic investigation, performed by a clearance technician, lead inspector, or lead risk assessor, to determine whether Lead Hazards identified in a Local Lead Risk Assessment or Local Lead Inspection have been sufficiently controlled. It includes a visual assessment and collection and analysis of environmental samples that meet the requirements of the rules issued by the City's Director of Public Health.

"Local Lead Risk Assessment" means an on-site investigation to determine and report the existence, nature, severity, and location of lead hazards in a residential unit including information gathered from the unit, current owner's knowledge regarding the age and painting history of the unit and occupancy by children under six (6) years of age, visual inspection and limited wipe sampling or other environmental sampling techniques that meet the requirements of the rules issued by the City's Director of Public Health.

2 Adding a local risk assessment standard and a local inspection license

LEGISLATIVE TEXT

(j) "Local Lead Inspection License" means an official local license issued by the City's Director of Public Health to a person who holds a valid, active license issued by the Ohio Department of Health as a lead inspector, lead risk assessor or clearance technician under Chapter 3742 of the Revised Code and who also meets any additional requirements in rules issued by the City's Director of Public Health. The license authorizes the person to conduct Local Lead Inspections, Local Lead Clearance Exams, and Local Lead Risk Assessments that are used to apply for a Lead-Safe Certification under this chapter.

(e) *Local License Required.* A clearance technician, lead risk assessor, or lead inspector licensed by the Ohio Department of Health Lead Licensure and Accreditation Program may not conduct a Local Lead Test for an owner to obtain a Lead-Safe Certification under this chapter, unless, in addition to their state license, they also obtain and maintain a Local Lead Inspection License from the City's Director of Public Health.

(1) *Rules.* The City's Director of Public Health is authorized to issue rules to govern the qualifications, application process, terms, and fees for local licenses under this chapter.

PART THREE

Other Administrative Choices

3 Other administrative amendments (1 of 2)

Amendment	Section	What it does and why
Certificate start-date rule	§ 365.04(b)(3)	Clears up confusion around the 90-day rule, since repairs routinely take longer than ninety days.
Removal of the vacancy exception	§ 365.04	Predates Residents First, which set up the rental registry and made the exception unnecessary. The immediate family exemption (3.2) is the successor provision.
Coordination with the federal Lead Safe Housing Rule	§ 365.04(b)(5)	Section 8 landlords now face both our rule and CMHA's, which call for incompatible tests. An owner shouldn't fail one program by complying with the other.
Coordination with lead hazard control orders	§ 365.04(b)(6)	An owner who lifted a Health Department order shouldn't pay for a second, nearly identical test. We already accept this in practice.
Clarification on revocation	§ 365.04(b)(7)	Routes revocation of certificates and of rental registrations under § 365.02 to the same place. Requested by Law Director Griffin and Dave Roberts.

3.4 Other administrative amendments (2 of 2)

Amendment	Section	What it does and why
Tenant Protections on Retaliation	§ 365.06(b) and (c)	Follows Toledo's standard and our existing COO 375, and confirms these remedies are in addition to, not instead of, tenant rights under the Ohio Landlord-Tenant Act. We also add a line confirming these laws are part of the City's housing, building, and health codes for the purposes of state law.
Lead Safe Advisory Board Changes	§ 365.07(a)	Move relocation assistance to the work of the Lead Safe Advisory Board and remove the Home Action Fund Board which was never stood up. Remove the Auditor from officially sitting on the board – instead they report to the Board.
XRF tool lending program	§ 240.05(a)	Formally establishes the program and a dedicated fund, so fees cover maintenance, insurance, staffing, and training.
Conforming notice requirements	§ 240.08(a)	Removes an unenforced local notice requirement that exceeds federal and state standards.
Disclosure in sale or lease	§ 240.06(a)	Codifies disclosure of Lead Safe Certificate status in local law.
Law Department Changes	§ 365.02 and 240	Make ministerial changes recommended by the Law Department to Chapter 365 and 240. Adopt an improved HVAC rule for the rental registry for multi-unit apartment buildings

Questions?