



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

Office of  
Enforcement and  
Compliance Assurance

Re: Property Management Companies

Dear Madam or Sir,

This letter is intended to notify you of an action by the U.S. Environmental Protection Agency (EPA) that discusses the compliance responsibilities of certain property management companies (PMCs) under the Toxic Substances Control Act (TSCA) lead-based paint [Renovation, Repair and Painting Rule](#) (RRP Rule).

**If you are affiliated with an organization that includes PMCs that may be affected, then we encourage you to share this information with your members or associates.**

**WHAT ACTION WAS TAKEN?**

On March 21, 2022, EPA withdrew two Frequently Asked Questions (FAQs) that addressed PMC compliance responsibilities under the RRP Rule: FAQ #23002-13650 and # 23002-18348. **As of that date, the two FAQs are *no longer in effect*, and therefore PMCs cannot rely on them as EPA's views about PMC compliance responsibilities under the RRP Rule.** In other words, with the withdrawal of these two FAQs, EPA will be assessing compliance by PMCs with the RRP Rule as it would for any other entity. The withdrawal of the FAQs does *not* change the RRP Rule, including its definition of "renovation."

EPA first published [notice](#) of the Agency's intent to withdraw the two FAQs on November 4, 2021. Among other things, the notice explains that:

"Consistent with the RRP rule, any individual or entity (including PMCs) is subject to the RRP rule requirements when they perform or offer to perform renovation, repair or painting activities for compensation in housing and child-occupied facilities built before 1978, and therefore must be a certified firm."

In the November 4 notice, EPA requested public comment on the planned action. EPA received and considered [public comments](#) regarding the planned action. Additionally, in November and December 2021, EPA widely distributed information about the November 4 notice to trade associations, community and non-profit organizations and others that might be affected by or interested in the planned action.

On January 11, 2022, EPA [affirmed](#) that the Agency would withdraw the two FAQs, effective March 21, 2022. EPA made this information available through an official [announcement](#) and [press release](#).

### **WHO DOES THE ACTION AFFECT?**

EPA's action affects PMCs that perform, offer to perform, or claim to perform renovations for pre-1978 residential housing and child-occupied facilities.

### **WHAT MUST AN AFFECTED PARTY DO TO COMPLY WITH THE RRP RULE?**

PMCs subject to the RRP Rule must possess RRP certification from EPA (or from an authorized state or tribe), among other compliance requirements under the RRP Rule. Those requirements include ensuring that renovations comply with lead-safe work practices, and that a certified renovator is assigned to each covered renovation and properly discharges the duties specifically assigned to certified renovators by the rule. Also, all PMCs subject to the RRP Rule need to ensure that they, their employees and any outside renovation contractors they engage comply with RRP Rule requirements. Finally, a PMC that works in an authorized state/tribal area should confirm with the relevant authorities whether the state/tribal program requires additional action.

A PMC that is subject to the RRP Rule but has not yet obtained certification from EPA (or from an authorized state/tribe) should promptly [apply](#) to obtain certification. (Merely applying for certification does not prevent potential enforcement for violations.)

### **ARE THERE POTENTIAL PENALTIES FOR NON-COMPLIANCE WITH THE RRP RULE?**

Yes. Failure to comply with the RRP Rule may result in enforcement and potentially significant civil penalties. *See* [15 U.S.C. § 2615](#).

Highlights of recent RRP [enforcement](#) actions are available online.

### **WHERE CAN YOU FIND MORE INFORMATION?**

Information about [RRP Rule requirements](#) is available online.

If you have questions about this letter or the regulatory requirements, then please contact James Miles at [miles.james@epa.gov](mailto:miles.james@epa.gov).

Sincerely,

Greg Sullivan  
Director  
Waste and Chemical Enforcement Division  
Office of Civil Enforcement

Manuel Ronquillo  
Acting Deputy Director  
Federal Facilities Enforcement Office