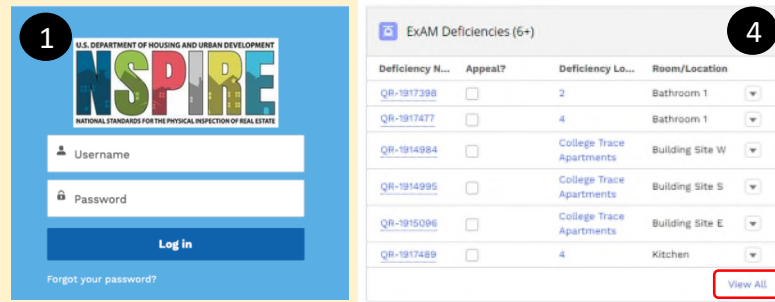


Overview

This step-by-step guide assists Property Housing Authorities (PHAs), property owners, and agents (POAs) in submitting appeals for potential Lead-Based Paint (LBP) findings in the NSPIRE system by providing clear steps for determining the basis for appeal, checking if the property is target housing, and properly documenting the appeal with relevant and compliant information and documentation.

How to Submit a Lead Based Paint Appeal in the System

- Step 1:** Log in to the NSPIRE system.
- Step 2:** Select the **Inspections** tab.
- Step 3:** Select an **Inspection Name** to open the inspection record (e.g., INSP-XXXXX).
- Step 4:** Select **View all** under ExAM Deficiencies. *Helpful hint: Select column headers to sort the data*
- Step 5:** Select the **Deficiency name** (e.g., QR-XXXXXXX).
- Step 6:** Select **Add/remove from Appeal**.
- Step 7:** Select the most appropriate **Appeal Reason** from the dropdown menu.

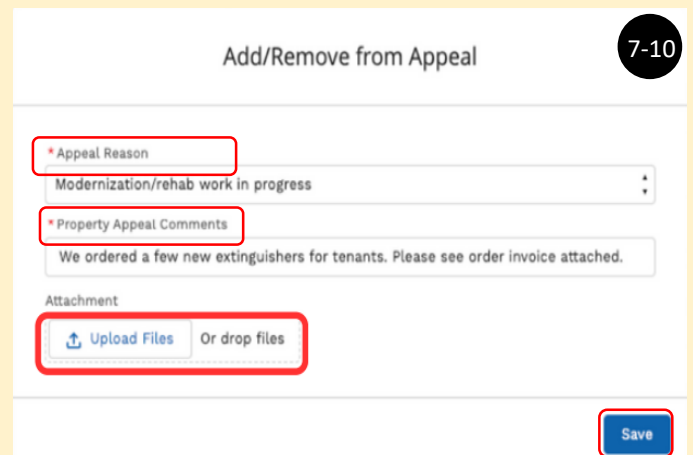
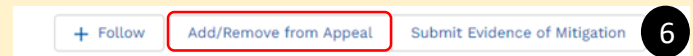


Step 8: To successfully appeal [potential LBP findings](#), describe the error that was made which is either:

1. the area cited is LBP free OR,
2. the Target Housing is not subject to the Lead-Safe Hazard Rule).

i Note: Target Housing refers to housing constructed before 1978, except:

- Housing for the elderly or persons with disabilities (unless any child who is less than 6 years old resides or is expected to reside there)
- Any zero-bedroom dwelling (ex. efficiencies, studio apartments, dormitory housing, military barracks, and rentals of individual rooms in residential dwellings.)



Step 9: Describe supporting documentation in the **Property Appeal Comments** field.

Step 10: Upload supporting documentation in the attachments.

Step 10a: If the property is Target Housing, submit proof that the areas cited do not contain lead-based paint:

1. Lead-Based Paint Inspection Reports

(check [HUD's Chapter 7](#)) includes:

- Type of Tool Used:
 - i. X-Ray Fluorescence (XRF) Analyzer
 - ii. Paint Chip Sampling

i Paint chip sampling is optional. If done, the paint chip results override the XRF readings because they are more accurate.

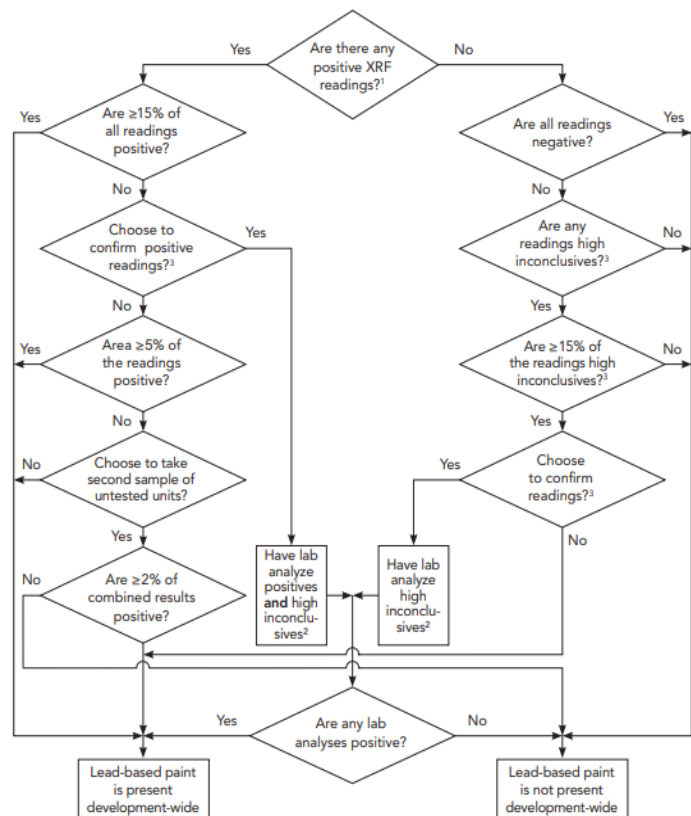
- Property Construction Date and Total Number of Units
- Number of Units Inspected

i The number of units required to be included in the sample differ depending on the total number of units and construction year. More information can be found in [Table 7.3 in Chapter 7](#).

2. Unit-Level Inspection Reports and Clearance Testing

are alternatives to the Chapter 7 LBP Inspection

FIGURE 7.3 Multi-family Decision Flowchart



How to Submit a Lead Based Paint Appeal in the System

Step 10b: If the property is NOT Target Housing, **upload** proof that the area is NOT target housing

- Properties Built After 1978:
 - i. Screenshot from the HUD System of Record with construction year
 - ii. Tax records with construction year
 - iii. Other proof of construction year
- Properties Designated for the Elderly and Disabled:
 - i. HUD-approved Designated Housing Plan (DHP)
 - ii. Pamphlet or other materials indicating the designation
 - iii. Elderly/Disabled Housing Identification



Step 11: Once attached, select **Save**. Carefully read all prompts and complete the instructions. *Helpful hint: Go back to step 4, view the "Appeal?" column, and confirm check marks are present for each deficiency that a request has been saved. This indicates that the deficiency has been added to the appeal.*

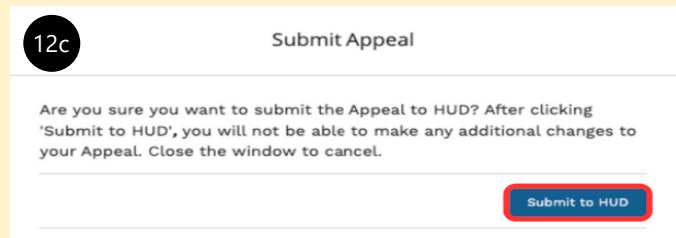
⚠ Note: At this point, the appeal has not been submitted to HUD. To add additional deficiencies to the appeal, steps 3-9 should be repeated, ensuring that all deficiencies are included regardless of the score deduction. Properties must include all deficiencies they wish to appeal, not just LBP ones, as there is no separate appeal process for LBP and non-LBP items. Once all deficiencies have been added, proceed to step 10 to ensure the appeal is transmitted to HUD for review.



Step 12: Select the inspection name (e.g., INSP-XXXXX) in the top left corner of the screen. The inspection record screen will surface. Submit the appeal by selecting **Submit Appeal** (12a). A tabular view of deficiencies set to appeal will surface. If all the Appeals are present, select **Submit** (12b). To add/remove any appeal before submitting, deselect the pop-up screen, and go back to Step 4.

⚠ Lastly, select "Submit to HUD" to make certain the appeal is transmitted to HUD for review (12c).

⚠ An appeal cannot be added or modified after submission. The system will automatically provide an alert if an attempt is made to add or modify an appeal after the last day to submit the appeal, or after the appeal has already been submitted. Only one (1) appeal per inspection may be submitted to HUD. If the "Submit to HUD" button is not selected the appeal will not be reviewed by HUD. The appeal will be rejected if the evidence provided is insufficient.



⚠ HUD REAC will process all appeals (also known as Technical Review Requests) based on guidance from the Final Rule and property representatives will receive notification of approval or rejection. Approved appeals automatically prompt the generation of an updated inspection report inclusive of the adjusted Final Inspection Score.

Overview

This step-by-step guide assists Property Housing Authorities (PHAs), property owners, and agents (POAs) in submitting appeals for potential Lead-Based Paint (LBP) findings in the NSPIRE system by providing clear steps for determining the basis for appeal, checking if the property is target housing, and properly documenting the appeal with relevant and compliant information and documentation.

How to Submit NSPIRE Lead Based Paint Appeals

Step 1: Determine basis for Appeal of potential [LBP Standard](#):

- The area cited is LBP-free
- The property is not target housing, so it is not subject to the Lead Safe Housing Rule

Step 2: Check if the Property is Target Housing

i *Target Housing refers to housing constructed before 1978, except ([24 CFR 35.86](#)):*

- *When it is housing designated for the elderly or persons with disabilities (unless any child who is less than 6 years of age resides or is expected to reside there)*
- *Any zero-bedroom dwellings*

Step 3: Document Property LBP Appeals

Step 3a: If the property is target housing...

- **Submit** proof that the areas cited do not contain lead-based paint

1. **Lead-Based Paint Inspection Report** that complies with [HUD's Chapter 7](#)

- The LBP Inspection Report should be performed by a certified professional and include:
 - Type of Tool Used:
 - X-Ray Fluorescence (XRF) Readings
 - Paint Chip Sampling Results
 - *Paint chip sampling is optional. If done, the paint chip results override the XRF readings because they are more accurate.*
 - Property Construction Date and Total Number of Units
 - Number of Units Inspected
 - *The number of units required to be included in the sample differ depending on the total number of units and construction year. More information can be found in [Table 7.3 in Chapter 7](#).*

2. **Unit-Level Inspection Reports and Clearance Testing** are alternatives to the Chapter 7 – Compliant LBP Inspection

- Unit-Level Inspection Reports
 - XRF Readings
- Clearance Testing if LBP was previously found and has since been abated

Step 3b: If the property is NOT target housing...

- **Submit** proof that the property is NOT target housing
 - Properties Built on or after January 1, 1978:
 - i. Screenshot from the HUD System of Record with construction year
 - ii. Tax records with construction year
 - iii. Other proof of construction year
 - Properties Designated for the Elderly and Disabled:
 - i. HUD-approved Designated Housing Plan (DHP)
 - ii. Pamphlet or other materials indicating the designation
 - iii. Elderly/Disabled Housing Identification

Table 7.3| Number of Units to be Tested in Multi-family Building or Developments*

3a

Number of Similar Units, Similar Common Areas, or Similar Exterior Sites	Pre-1960 or Unknown-Age Building or Development: Number of Units to Test *	1960-1977 Building or Development: Number of Units to Test *
1-10	All	All
11-13	All	10
14	All	11
15	All	12
16-17	All	13
18	All	14
19	All	15
20	All	16
21-26	20	16
27	21	17
28	22	18
29	23	18
30	23	19
31	24	19
32	25	19
33-34	26	19
35	27	19
36	28	19
37	29	19
38-39	30	20
40-48	31	21
49-50	31	22
51	32	22
52-53	33	22
54	34	22
55-56	35	22

Please click [here](#) for the full table