### **MULTIFAMILY FOR SALE- OPPORTUNITY ZONE**

### MULTIFAMILY REDEVELOPMENT OPPORTUNITY IN EVERETT, MA

46 Liberty Street, Everett, MA 02149





#### **OFFERING SUMMARY**

SALE PRICE:	\$850,000
NUMBER OF UNITS:	3*
AVAILABLE SF:	
LOT SIZE:	0.198 Acres
BUILDING SIZE:	3,258 SF
RENOVATED:	2019
ZONING:	DD
MARKET:	Boston
SUBMARKET:	Middlesex
PRICE / SF:	\$260.90

#### **PROPERTY OVERVIEW**

Prime opportunity to redevelop or rehab this multifamily property in Everett, MA, a resurgent community due to, among other things, the new Encore Boston Harbor Casino. This property sits in an Opportunity Zone, Traditionally, this legal three family has been rented out with near 100% tenancy for many years. The adjacent property was acquired and redeveloped in 2004 into a 6 family apartment building on approximately the same size lot.

Buyer to perform all due diligence and confirm all dimensions, building attributes and suitability for the buyer's use. Listing agent is related to the Seller.

#### PROPERTY HIGHLIGHTS

- Prime Redevelopment Opportunity
- Great Everett Location Near Retail, Houses of Worship & City Hall
- Only 1.3 Miles by Car to Encore Boston Harbor Casino

#### KW COMMERCIAL

138 River Road, Suite 107 Andover, MA 01810

### LAUREN DEFRANCESCO

Commercial Advisor 0: 800.281.1316 hello@faulknercommercial.com

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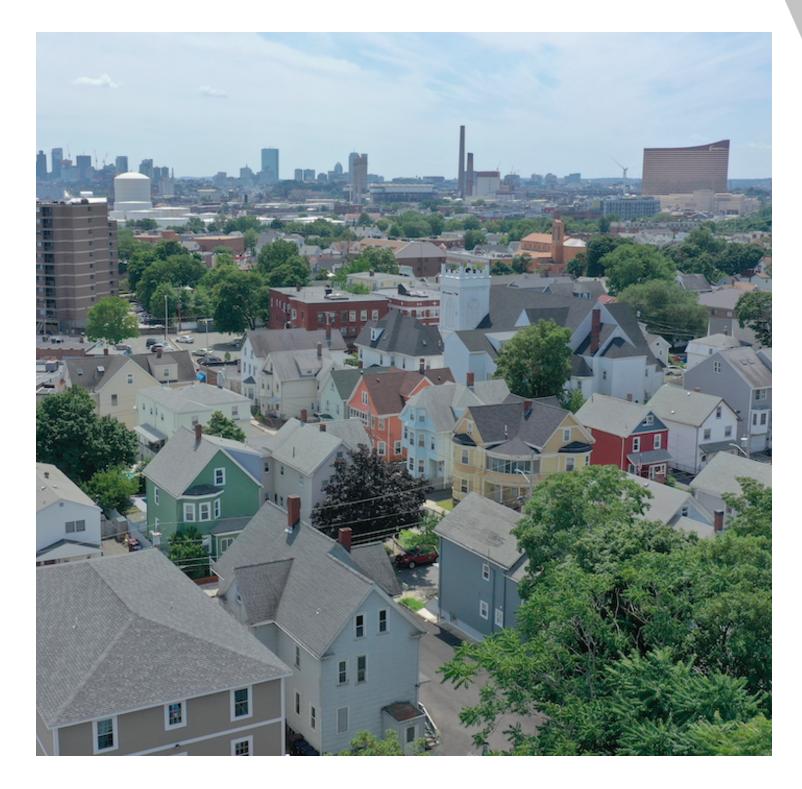
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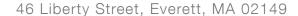
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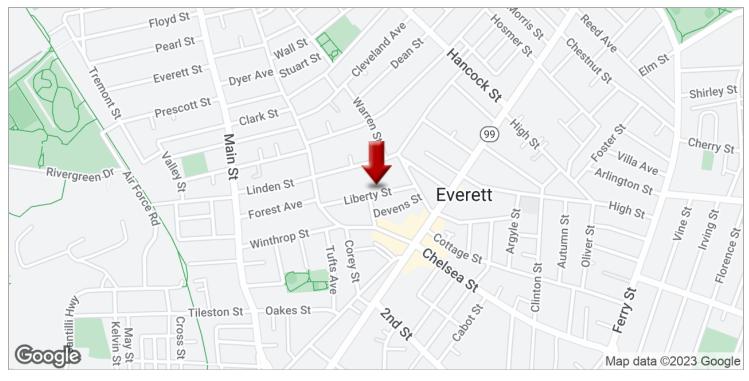
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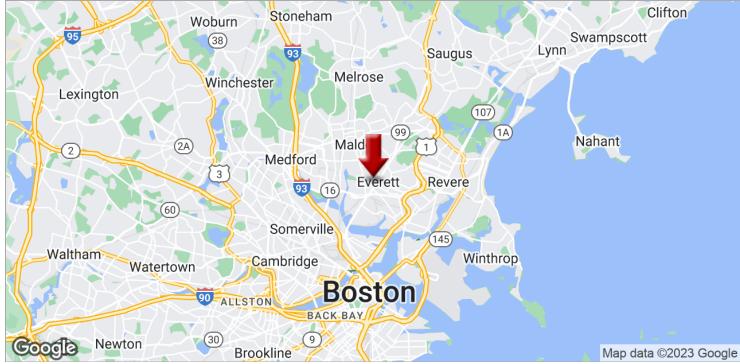
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# City of Everett

Everett has a convenient and accessible location abutting Boston along the Mystic River. The City is close to Interstate Highways 93, 95 and it is served by the MBTA public transit system. Logan International Airport is 5 miles away from the center of the City.

Everett has one of the largest industrial districts with rail and water access in the region.

The population is approximately 46,000 within roughly 3.2 square miles. Everett is one of the most diverse and dense communities in the state of Massachusetts.



### **Opportunity Zone Goals**

- Build new creative industry spaces
- Expand inventory of workforce housing
- Prepare sites for redevelopment
- Provide incentives for prospective developers to land pool and acquire parcels for higher and better uses



#### **Economy**

- 500+ acres zoned for industrial uses
- Five major employment sectors:
   Hospitality, Education/Health, Finance,
   Construction and Trade
- From 2012-2018, almost 3.5 million square feet of new development
- Encore Boston Harbor Resort expected to be largest employer (opening June 2019)
- Most new construction citywide consists of infill redevelopment

#### **Recent Success**

- Rezoned 100+ acres for commercial/ residential mix-use developments
- Implementation of a local bus rapid transit system improving access to Boston
- Bike path extension along Malden River under construction
- Over 1,000 units of housing approved
- 2 urban renewal plans underway

#### **Contact**

Tony M. Sousa, AICP 617-394-2245 Tony.Sousa@ci.everett.ma.us

### SELLER'S STATEMENT OF PROPERTY CONDITION #700 (Page 1 of 8)



THIS FORM IS TO BE COMPLETED BY THE SELLER. THE SELLER(S) AUTHORIZES THE BROKER OR SALESPERSON(S) TO PROVIDE THE FOLLOWING INFORMATION TO PROSPECTIVE BUYER(S). THIS INFORMATION IS BASED UPON THE SELLER'S KNOWLEDGE, BUT IS NOT INTENDED AS A GUARANTEE OF THE CONDITION OF THE PROPERTY OR THE CONTINUED SATISFACTORY OPERATION OF ANY SYSTEM. THE BUYER(S) SHOULD INDEPENDENTLY VERIFY ALL INFORMATION BEFORE PURCHASE.

•	ty Address 46 Liberty Street, Everett, MA 0214	9							
	s)/Owner(s) <u>James N Ryan</u>								
How lo	ng owned How long o	ccupied	cupiedApproximate Year Built 1820						
1 TITI	E/ZONING/BUIL DING INFORMATION								
1. 1111	LE/ZONING/BUILDING INFORMATION	Yes	No	Unknown	NUA	Description/European			
1.	Title Problems or Limitations (for example,	res	No	Onknown	N/A	Description/Explanation			
	deed restriction, lot line dispute, order of conditions):		回						
2.	Easement, Common Driveway, or Right of Way		回						
3.	Zoning Classification(s) of property:								
4.	Has the City/Town issued notice of outstanding violation?		<b>9</b>						
5.	Have you been advised that current use is nonconforming in any way?		Ø						
6.	Do you know of any variances or special permits?		<b>9</b>						
7.	During Seller's ownership, has work been done for which a permit was required? If yes, explain.	Ø							
7a.	Were permits obtained?		回						
7b.	Was the work approved by an inspector?		$\square$						
7c.	Was a licensed contractor hired? (If yes, provide name of contractor)		q						
7d.	Is there an outstanding notice of any building code violation?		Ø						
8.	Have you been informed that any part of the property is in a designated flood zone or wetland?		Ø						
9.	Are there any known water drainage problems? Explain.		Q						
II. SY	STEM AND UTILITIES INFORMATION								
<u></u>		Yes	No	Unknown	N/A	Description/Explanation			
10.	STORAGE TANK	<u> </u>	<del>- 21/</del>		, ,				
10a.	Is or Has there ever been an underground storage tank?		1200	`					
10b.	If yes, type of tank								
10c.	If yes, is it still in use?								
10d.	If not still in use, was it removed?								
10e.	Storage Tank: ☐Leased ☐Owned (See Hazardous Materials Disclosure Page 8)								
SELLE	er's Initials Why	BUYE	R'S INI	TIALS					





# SELLER'S STATEMENT OF PROPERTY CONDITION #700 (Page 2 of 8)



II. SY	II. SYSTEM AND UTILITIES INFORMATION (Continued)											
		Yes	No	Unknown	N/A	Description/Explanation						
11.	HEATING SYSTEM			<u> </u>								
11a.	Type: gas Furnace											
11b.	Age: 35											
11c.	Are there any known problems with the heating system? Explain.		回回									
11d.	Identify any unheated room or area:											
11e.	Provide approximate date of last service:					11/2018						
11f.	Provide reason for service:					vacant unit - required heat for winter						
III. W	III. WATER, SEWER & OTHER UTILITIES											
	The state of the s	Yes	No	Unknown	N/A	Description/Explanation						
12.	DOMESTIC HOT WATER	1.55		- Cintaio VIII	INIZA	Description/Explanation						
12a.	Type: electric	~										
12b.	Age: 10 Kgs											
12c.	Are there any known problems with the hot water? Explain.											
13.	SEWAGE SYSTEM											
13a.	Municipal □Private Sewer											
13b.	If Private Sewer, describe type of system:											
13c.	Provide Name of Service Company											
13d.	Date it was last pumped:					Month Day Year						
13e.	Frequency of Pumps:											
13f.	During your ownership has sewage backed up into house or onto yard? Explain.											
13g.	Is system shared with other homes?		Ø									
13h.	Was a Title 5 Inspection performed?				)EIV							
13i.	Date of Inspection:					Month Day Year						
13j.	Is a copy of Inspection attached?											
14.	PLUMBING SYSTEM											
14a.	Type:											
14b.	Problems? Explain.		D									
14c.	Bathroom ventilation problems? Explain.		回									
SELLE	BELLER'S INITIALS BUYER'S INITIALS											

# SELLER'S STATEMENT OF PROPERTY CONDITION #700 (Page 3 of 8)



III. W	III. WATER, SEWER & OTHER UTILITIES (Continued)								
		Yes	No	Unknown	N/A	Description/Explanation			
15.	WATER SOURCE		/						
15a.	☑Public □ Private								
15b.	Location								
15c.	Date Last tested:								
						Month Day Year			
15d.	Report Attached?								
15e.	Water Quality problems? Explain.		Ø						
15f.	Flow rate:					(gal. /min.)			
15g.	Age of Pump:								
15h.	Is there a filtration system? If yes, indicate age and type of filtration system.		Ø			Age:			
IV. EL	ECTRICAL SYSTEMS & UTILITIES								
		Yes	No	Unknown	N/A	Description/Explanation			
16.	ELECTRICAL SYSTEM	,			•				
16a.	Problems? Explain.	Ø							
17.	APPLIANCES					-			
17a.	List appliances that are included:								
	Regularitor								
	- stove								
17b.	Problems? Explain.		X						
18.	SECURITY SYSTEM				•				
18a.	Туре:				VD				
18b.	Age:								
18c.	Provide Name of Service Company								
18d.	Problems? Explain.		<b>P</b>						
19.	AIR CONDITIONING								
19a.	□ Central		/						
	☐Window ☐Other. Explain.								
19b.	Problems? Explain.	$\vdash$	B	П		-			
20.	SOLAR PANELS		التا						
20a.	Leased	1							
200.	Owned								
20b.	If leased, explain terms of agreement.								
	-								
				l	1				
V. BU	ILDING/STRUCTURAL INFORMATION								
		Yes	No	Unknown	N/A	Description/Explanation			
21.	FOUNDATION/SLAB				<del></del> -				
21a.	Problems? Explain.		V						
	[41]	<del></del> _							
SELLE	SELLER'S INITIALS BUYER'S INITIALS								

# SELLER'S STATEMENT OF PROPERTY CONDITION #700 (Page 4 of 8)



V. BU	V. BUILDING/STRUCTURAL INFORMATION (Continued)								
		Yes	No	Unknown	N/A	Description/Explanation			
22.	BASEMENT								
22a.	Problems (select any that apply):  Water Seepage Dampness Other. Explain.		Ø						
22b.	Explain amount, frequency, and location of the problems selected in 22a.								
23.	SUMP PUMP								
23a.	If yes to 23, provide age and location.								
23b.	Problems? Explain.		Y						
24.	ROOF								
24a.	Age:								
24b.	Problems? Explain.		U						
24c.	Location of leaks/repairs:								
25.	CHIMNEY/FIREPLACE								
25a.	Date last cleaned:					Month Day Year			
25b.	Problems? Explain.		Q						
25c.	Presence of:  Wood Stove Coal Stove Pellet Stove Gas Stove								
25d.	If yes to 25c, in compliance with installation regulations/code/bylaws?								
25e.	If no to 25d, Explain.								
25f.	Is there any history of smoke/fire damage to structure? Explain.		O						
26.	FLOORS								
26a.	Type of floors under carpet/linoleum:								
26b.	Are there any known problems with floors (buckling, sagging, etc.)? Explain.		g						
27.	WALLS								
27a.	Interior Walls: Problems? Explain.		O.						
27b.	Exterior Walls: Problems? Explain.		ত						
28.	WINDOW/SLIDING DOORS/DOORS								
28a.	Problems? Explain.		g						
29.	INSULATION					L			
29a.	Does house have insulation?	四							
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# SELLER'S STATEMENT OF PROPERTY CONDITION #700 (Page 5 of 8)



V. BU	V. BUILDING/STRUCTURAL INFORMATION (Continued)								
		Yes	No	Unknown	N/A		Description/E	Explanation	
29b.	If yes, type:								
29c.	Date Installed:								
		Ш		<u> </u>		Month	Day	Year	
29d.	Location:								
VI. EN	VIRONMENTAL ISSUES		-						
		Yes	No	Unknown	N/A		Description/E	Explanation	
30.	ASBESTOS								
30a.	Is asbestos present in exterior shingles, pipe covering or boiler insulation?	o							
30b.	Has a fiber count been performed?		U						
30c.	If yes to 30b., is copy attached? (See Asbestos Disclosure Page 8)								
31.	LEAD PAINT		- TY	2		•			
31a.	Is lead paint present?		43	V					
31b.	If yes to 31a., locations present: (Attach copy of Inspection Reports)								
31c.	If yes to 31a., describe abatement plan/ interim controls, if any:								
31d.	Has paint been encapsulated?	Ø		<b>4</b>					
31e.	If yes to 31d. provide date of encapsulation and by whom.					Month	Day	Year	
31f.	Is Lead Paint Disclosure Form available? If yes attach copy. If no, Explain.								
32.	RADON								
32a.	Has test for Radon been performed? If yes, attach copy. (See Radon Disclosure Page 7)		d						
33.	MOLD								
33a.	Have you been advised of elevated levels of mold at the Property? Explain.		Q						
34.	INSECTS								
34a.	History of Termites/Wood Destroying Insect or Rodent Problems?		Ø						
34b.	If yes to 34a., explain treatment and dates:		8			Month	Day	Year	
	(See Chlordane Disclosure Page 8)								
35.	ENERGY AUDIT								
35a.	Has an Energy Audit been performed? If yes, attach a copy.		ď						
VII. O	UTDOOR AMENITIES & STRUCTURES								
		Yes	No	Unknown	N/A		Description/l	Explanation	
36.	SWIMMING POOL/JACUZZI								
36a.	Problems? Explain.								
36b.	Name of Service Company:			П			<del></del>		
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# SELLER'S STATEMENT OF PROPERTY CONDITION #700 (Page 6 of 8)



VII. O	UTDOOR AMENITIES & STRUCTURES (Conti				I			
07	CARACTICUES OF STATE	Yes	No	Unknown	N/A	Description/Explanation		
37.	GARAGE/SHED/OR OTHER STRUCTURE				T -			
37a.	Problems? Explain.		Ø					
VIII C	ONDOMINIUM INFORMATION	1/0						
7111. 0		Yes	No	Unknown	N/A	Description/Explanation		
38.	PARKING	163	140	Olikilowii	NIA	Description/Explanation		
38a.	Number of Spaces					Spans		
38b.	Of those spaces, identify the number that are:	لبط				Spaces Number of Spaces:		
	Deeded					Deeded		
	□Exclusive Easements					Exclusive Easements		
	☐Assigned					Assigned		
	□Unassigned or □In Common area					Unassigned In Common area		
39.	CONDO FEES				L	In Common area		
39a.	Current monthly fees for Unit are:				1			
. ***				-				
	Are any of the following (39b39g.) included							
	in the monthly fees:							
39b.	Heat							
39c.	Electricity							
39d.	Hot Water	ᆜ						
39e.	Trash Removal							
39f.	Landscaping							
39g.	Snow Removal	Ш						
40.	RESERVE FUND							
40a.	Has advance payment been made to a condo reserve fund?							
40b.	If yes to 40a, how much?							
41.	CONDO ASSOCIATION FUND							
41a.	Is owners' association currently involved in any litigation? Explain.							
41b.	Have you been advised of any matter which is likely to result in a special assessment or substantially increase condominium fees? Explain.							
IV 55	NEL BOOKEN							
IX. KE	ENTAL PROPERTY INFORMATION	Vs =	- NI -	I lasta a second	N1/5			
42	UNITS	Yes	No	Unknown	N/A	Description/Explanation		
42. 42a.	Number of Units:				1	2 11-9		
						Units		
42b.	Has a unit been added/subdivided since original construction?		Ø					
42c.	If yes to 42b., was a permit for new/added unit obtained?							
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# SELLER'S STATEMENT OF PROPERTY CONDITION #700 (Page 7 of 8)



				· · · · · · · · · · · · · · · · · · ·					
IX. RI	IX. RENTAL PROPERTY INFORMATION								
		Yes	No	Unknown	N/A	Description/Explanation			
43.	RENT	D				Rent \$ 1 200 /month			
43a.	Expiration date of each lease:  **Real Control of the Control of t					Month Day Year			
43b.	Any tenants without leases?	Ø							
43c.	Is owner holding last month's rent?	V							
43d.	Is owner holding security deposit?	g							
43e.	If yes to 43c. and/or 43de., has interest been paid?	V							
43f.	If security deposit held, attach a copy of Statement(s) of Conditions.				₽⁄				
43g.	Is there any outstanding notice of sanitary code violation? Explain.		Ø						
N									
X. MIS	CELLANEOUS INFORMATION			·					
44.	Do you know of any other while which we see	Yes	No	Unknown	N/A	Description/Explanation			
44.	Do you know of any other problem which may affect the value or use of the property which may not be obvious to a prospective buyer? Explain.		<b>Ú</b>						
		oses o	nly. For		nation,	consult the Massachusetts Department of Public gency, or your attorney.			
The len	A. Flood Hazard Insurance Disclosure Clause (Question #8)  The lender may require Flood Hazard Insurance as a condition of the mortgage loan if the lender determines that the property is in a flood hazard zone.  E. Radon Disclosure Clause (Question #32)  Radon is an odorless, colorless, tasteless gas produced naturally in the ground by the normal decay of uranium and radium. Radon can lead to the development of radioactive particles which can be inhaled. Studies indicate the result of extended exposure to high levels of radon may increase the risk of developing lung cancer.								
SELLE	R'S INITIALS	BUYE	R'S INIT	TIALS					



#### SELLER'S STATEMENT OF PROPERTY CONDITION #700 (Page 8 of 8)



#### B. Hazardous Materials Disclosure Clause (Question #10)

In certain circumstances Massachusetts law can hold an owner of real estate liable to pay for the cost of removing hazardous or toxic materials from real estate and for damages resulting from the release of such materials, according to the Massachusetts Oil and Hazardous Material Release and Response Act, General Laws, Chapter 21E. The buyer acknowledges that he may have the property professionally inspected for the presence of, or the substantial likelihood of release of oil or hazardous material and such proof of inspection may be required as a prerequisite for financing the property.

#### C. Asbestos Disclosure Clause (Question #30)

The United States Consumer Produce Safety Commission has maintained that asbestos materials are hazardous if they release separate fibers which can be inhaled. Asbestos is a common insulation material on heating pipes, boilers, and furnaces. It may also be present in certain types of floor and ceiling materials, shingles, plaster products, cements and other building materials. The buyer may have the property professionally inspected for the presence of asbestos and if repair or removal of asbestos is desired, proper safety guidelines must be observed.

#### D. Lead Paint Disclosure (Question #31)

Whenever a child under six years of age resides in any residential premises in which any paint, plaster or other accessible material contains dangerous levels of lead, the owner is required by law to remove all said paint, plaster or cover with appropriate materials so as to make it inaccessible to a child under six years of age. Consumption of lead is poisonous and may cause serious personal injury. Whenever such residential premises containing dangerous levels of lead undergoes a change of ownership, and as a result a child under six years of age will become a resident, the new owner is required by law to remove said paint, plaster cover or encapsulate it with appropriate materials so as to make it inaccessible to such child. Buyer should receive information pamphlet from Department of Public Health.

#### F. Chlordane Disclosure Clause (Question #34b.)

Pesticide products containing chlordane were banned in Massachusetts on June 11, 1985, following a determination by the Department of Food and Agriculture that the use of chlordane may cause unreasonable adverse effects on the environment including risk of cancer. Although existing data do not conclusively prove that significant health effects have occurred as a direct result of chlordane use, the long-term potential health risks are such that it is prudent public health policy, according to the Department, to eliminate the further introduction of chlordane into the environment.

#### G. Mold Information (Question #33)

Molds are naturally occurring organisms that exist both indoors and outdoors. More than 1000 different kinds of mold have been found in homes in the United States. Molds are fungl that reproduce by making spores. Spores are small and lightweight and able to travel through the air. Molds need moisture and food to grow and their growth is stimulated by warm, damp and humid conditions. Molds can use materials such as wood, paper, drywall and carpet as food sources. Reducing dampness indoors is often key to reducing the growth of mold. Depending on the level of mold, allergies, respiratory problems and other health consequences can be triggered in sensitive individuals. However, exposure to mold does not always result in health problems. As of July 2002, U.S. governmental agencies reported that a determination had not been made what quantity of mold was acceptable in an indoor environment. For more information on mold, contact an engineer or other qualified mold inspector. Information may also be found at the web site for the U.S. Environmental Protection Agency, www.epa.gov.

#### H. Fair Housing Notice

It is unlawful to discriminate on the basis of race, color, religious creed, national origin, age, gender, sex, ancestry, marital status, veteran status, sexual orientation, disability, presence of a child, receipt of public assistance or other protected classification in the sale or rental of covered housing.

#### XIII. Acknowledgment

Seller(s) hereby acknowledges that the information set forth above is true and accurate to the best of his or her knowledge. Seller(s) agrees to defend and indemnify the broker(s) and any subagents for disclosure of any information contained herein. Seller(s) acknowledges receipt of a copy of the Seller's Statement of Property Condition.

Date 07/30/2019	Selfer	62n	Seller		
that Broker has not verified the upon any representation, verbal family, multi-family, residential, number of rooms or other classi	information herein and or written, from any re commercial) or the us fication is not a repres estrictions by the brok	d Buyer(s) has been advised eal estate broker or licensee se of this property in any ad entation concerning legal us er. The BUYER understands	I to verify in concerning vertisement or compliant that if this	dition prior to purchase. Buyer(s) acknowledge information independently. Buyer(s) is not relying legal use. Any reference to the category (singust or listing sheet, including the number of unit ance with zoning by-laws, building code, sanital information is important to BUYER, it is the du	ng gle ts, iry
Date	Buyer	_	Buyer		
SELLER'S INITIALS		BUYER'S INITIALS			







### The Commonwealth of Massachusetts

Executive Office of Health and Human Services
Department of Public Health
Environmental Health
250 Washington Street, 7<sup>th</sup> Floor
Boston, MA 02108
(800) 532-9571 / (781) 774-6611

# CHILDHOOD LEAD POISONING PREVENTION PROGRAM (CLPPP) PROPERTY TRANSFER LEAD PAINT NOTIFICATION

Under Massachusetts and federal law, this notification package must be given to buyers and tenants with an option to buy homes built before 1978. This package must be given in full to meet state and federal requirements. It may be copied, as long as the type size is not made smaller. Every seller and any real estate agent involved in the sale must give this package before the signing of a purchase and sale agreement, a lease with an option to purchase, or, under state law, a memorandum of agreement used in foreclosure sales. Sellers and agents must also tell the buyer or tenant with an option to buy any information they know about lead in the home. They must also give a copy of any lead inspection report, risk assessment report, Letter of Compliance or Letter of Interim Control. This package is for compliance with both state and federal lead notification requirements.

Real estate agents must also tell buyers and tenants with an option to buy that under the state Lead Law, a new owner of a home built before 1978 in which a child under six will live or continue to live must have it either deleaded or brought under interim control within 90 days of taking title. This package includes a check list to certify that the buyer or tenant with an option to buy has been fully notified by the real estate agent. This certification should be filled out and signed by the buyer or tenant with an option to buy before the signing of a purchase and sale agreement, a lease with an option to purchase or a memorandum of agreement used in a foreclosure sale. It should be kept in the real estate agent's files. After getting notice, the buyer or tenant with an option to buy has at least 10 days, or longer if agreed to by the seller and buyer, to have a lead inspection or risk assessment if he or she chooses to have one, except in cases of foreclosure sales. There is no requirement for a lead inspection or risk assessment before a sale. A list of private lead inspectors and risk assessors licensed by the Department of Public Health is attached and can also be found on the Childhood Lead Poisoning Prevention Program's website at <a href="https://www.state.ma.us/dph/clppp">www.state.ma.us/dph/clppp</a>.

Sellers and real estate agents who do not meet these requirements can face a civil penalty of up to \$1,000 under state law; a civil penalty of up to \$10,000 and possible criminal sanctions under federal law, as well as liability for resulting damages. In addition, a real estate agent who fails to meet these requirements may be liable under the Massachusetts Consumer Protection Act.

The property transfer notification program began in 1988 and has been very successful. It provides information you need to protect your child, or your tenants' child, from lead poisoning. Massachusetts has a tax credit of up to \$1,500 for each unit deleaded. There are also a number of grants and no-interest or low-interest loans available for deleading. It's up to you to do your part toward ending lead poisoning.

PLEASE TAKE THE TIME TO READ THIS DOCUMENT. LEAD POISONING IS THE NATION'S NUMBER ONE ENVIRONMENTAL DISEASE AFFECTING CHILDREN. DON'T GAMBLE WITH YOUR CHILD'S FUTURE.

CLPPP Form 94-2, 6/30/94, Rev. 2/03, Rev. 10/09

MASSFORMS\*\*
Standard Real Estate Forms

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### What is lead poisoning? How do children become lead poisoned?

Lead poisoning is a disease. It is most dangerous for children under six years old. In young children, too much lead in the body can cause permanent harm to the brain, kidneys, nervous system and red blood cells. Even at low levels, lead in children's bodies can slow growth and cause learning and behavioral problems. The main way children get lead poisoned is by swallowing lead paint dust. They do not have to chew on leaded surfaces or eat paint chips to become poisoned. Most childhood lead poisoning is caused by children's normal behavior of putting their hands or other things, such as toys, in their mouths. If their hands or these objects have touched lead dust, this may add lead to their bodies. Children can also be exposed to lead from such other sources as lead-contaminated soil or water, but these sources alone rarely cause lead poisoning. Lead can be found in soil near old, lead-painted houses. If children play in bare, leaded soil, or eat vegetables or fruit grown in such soil, or if leaded soil is tracked into the home and gets on children's hands or toys, lead may enter their bodies.

### What are the symptoms of lead poisoning? How is it detected?

Most lead poisoned children have no special symptoms. The only way to find out if a child is lead poisoned is to have his or her blood tested. The Massachusetts Lead Law requires all children between 9 months and 4 years old to be screened annually for lead. If your child has been exposed to lead, or if you do not know if your child under age six has been screened for lead, ask your child's doctor, other health care provider or your local board of health for a simple screening test of your child.

### What is the treatment for lead poisoning?

Treatment of a lead poisoned child starts with finding and removing the lead hazards to which the child is exposed. This will include a lead inspection of the child's home, and if lead hazards are identified, deleading of the home. Medical treatment depends on the child's blood lead level and the child's response to the removal of the lead source. Parents will be taught about protecting their child from lead exposure. They will need to watch the child's progress through frequent blood tests. If necessary, the child may receive special drugs to help rid his body of excess lead. With this treatment, drugs are given daily for as long as several weeks. Sometimes this must be done more than once. A child who has been lead poisoned will need a lot of blood tests for a year or more. He or she should be tested for learning problems before starting school.

# Are children under six years old the only ones at risk of lead poisoning?

No. Young children are usually more easily and seriously poisoned than older children or adults, but lead is harmful to everyone. Lead in the body of a pregnant woman can hurt her baby before birth. Older children and adults who live in older housing with lead paint hazards may become exposed to lead and could potentially develop lead poisoning through home renovation. Most lead poisoning in adults is caused by work-related exposure or home renovation. Even hobby supplies, such as stained glass, bullets and fishing sinkers, can expose people to lead. Lead poisoning in adults can cause high blood pressure, problems having children for both men and women, digestive problems, nerve disorders, memory loss and problems concentrating, and muscle and joint pain. Adults who have any of these symptoms and who have been exposed to lead should consider being screened for lead. Those who are regularly exposed to lead through their work are required by law to have their blood tested once a year for lead.



### What are the dangers of lead paint in homes, and when was it used?

Lead paint in homes causes almost all childhood lead poisoning. Lead is so harmful that even a small amount of fine lead dust that cannot be seen, can poison a child. Lead paint covered by layers of nonleaded paint can still poison children, especially when it is disturbed, such as through normal wear and tear, or home repair work. When such lead paint is on moving surfaces, such as windows, fine lead dust is released through normal use. This dust settles, where it can be easily picked up on children's toys and fingers. Household paint with poisonous (now illegal) levels of lead was in use in Massachusetts from the 1690s until 1978. In 1978, the U.S. government banned lead from house paint. Lead can be found in all types of pre-1978 homes: homes in cities, suburbs or the countryside; private housing and state or federal public housing; single-family and multi-family homes. The older the house, the more likely it is to contain lead paint. The older the paint, the higher the likely lead content.

### Can routine home repairs cause lead poisoning?

There can be a danger of lead poisoning whenever painted surfaces inside or outside the home are scraped for repainting, or woodwork is stripped or removed, or windows or walls are removed. This is because lead paint is found in almost all Massachusetts homes built before 1978, and so many of Massachusetts' homes are old. Do not use power sanders, propane torches or heat guns to remove leaded paint, as these methods create a lot of lead dust and fumes. Temporarily move your family (especially children and pregnant women) out of the home while the work is being done and cleaned up, or at a minimum, tape up plastic sheets to completely seal off the work area. Get a lead inspection done, so that you will know which surfaces have lead paint and need extra care when preparing for and doing home repair work, and during cleanup afterwards. Do not do repairs in older homes without learning about safe ways to do the work to reduce the danger of lead dust. Hundreds of cases of childhood and adult lead poisoning result each year from do-it-yourself home projects.

# How does the owner of a home built before 1978 in which a child under six years old lives meet the requirements of the Massachusetts Lead Law?

The first step is to have a lead inspection or risk assessment done. A licensed lead inspector will test the surfaces of the home for lead and give the owner a written report that states where there is lead in amounts considered a violation by state law, and record any lead hazards that must be corrected. A risk assessor, who is a specially licensed lead inspector, will do a lead inspection plus a risk assessment, during which he or she checks the home for the most serious lead hazards that must be fixed for interim control. (See question about interim control, below.) Only a licensed deleader may do high-risk work, such as removing lead paint or repairing chipping and peeling lead paint. Either a deleader, the owner or someone who works for the owner (an agent) can do certain other deleading and interim control tasks. (See next question.) An owner or agent must get special training to perform the deleading tasks they may do. After the work is done, the lead inspector or risk assessor returns to check the home. He or she may take dust samples to test for lead and makes sure the home has been properly cleaned up. If everything is fine, he or she gives the owner a Letter of Compliance or a Letter of Interim Control. After getting one of these letters, the owner must take reasonable care of the property, mainly by making sure there is no peeling lead paint.

### Can I do some of the deleading myself?

In Massachusetts, the owner or someone who works for the owner (an agent) can do certain deleading activities. These include covering surfaces with certain materials; removing certain building parts; capping baseboards; installing vinyl siding on the exterior, and applying encapsulants. Encapsulants are special liquid coatings made to be long-lasting barriers over lead paint. Before any of these deleading tasks are done, the owner must first have a lead inspection done and whoever is going to do the work must get special training. Contact CLPPP for information about this training. In addition, owners or their agents can perform structural repairs and lead dust cleaning for interim control. Before doing this work, owners and agents should get and read CLPPP's interim control booklet.



#### Is there financial help for deleading?

There is a state income tax credit of up to \$1,500 per unit for full deleading. A credit of up to \$500 per unit is available for interim control work that also contributes to full deleading. There are also grants and no-interest, deferred loans, or low-interest loans available to eligible property owners. These funds are available through the U.S. Department of Housing and Urban Development, the Massachusetts Executive Office of Communities and Development, the Massachusetts Housing Finance Authority, local city and town community development planning departments, and banks.

### Does deleading improve the value of my property?

Many homeowners have found that the benefits of deleading are not unlike the benefits of other home improvement projects. Replacement windows and doors can save the homeowner money because they are more energy efficient. Having a legally deleaded home, whether it is a single-family or multi-family, owner-occupied or rental unit, can make it easier to sell or rent, often at a better price.

#### What surfaces must be deleaded for full compliance with the Massachusetts Lead Law?

Owners of homes built before 1978 where children under six years of age live must have the following lead hazards corrected to get a Letter of Compliance:

- \* any peeling, chipping or flaking lead paint, plaster or putty;
- \* intact lead paint, other coating or putty on moveable parts of windows with sills five feet or less from the floor or ground and those surfaces that come in contact with moveable parts;
- \* intact lead paint or other coating on "accessible mouthable surfaces." These surfaces generally include woodwork, such as doors, door jambs, stairs and stair rails, and window casings.

#### What is interim control?

Interim control is a set of temporary measures that property owners can take to correct urgent lead hazards, especially peeling or chipping lead paint and lead dust. These steps protect residents from lead poisoning until the home is fully deleaded. Homes in good condition may need little or no work to get interim control status. Owners then have up to two years before they have to fully delead the home. For that period, they are free from strict liability under the state Lead Law should a child become lead poisoned in the home. In addition to the repair of peeling and chipping lead paint and the cleaning of lead dust, other work may be necessary for interim control. This includes fixing water leaks or other damage that makes lead paint peel and chip; making window wells smooth and easy to clean; making windows work properly and deleading any badly chipping and peeling lead-painted surfaces.

Property owners interested in interim control must hire a licensed risk assessor. He or she will then decide what work, if any, needs to be done to get a Letter of Interim Control. The original Letter of Interim Control is good for one year. The property owner can have the home reinspected before the end of that year, and if all conditions are met, the home can be recertified for another year. By the end of the second year, the home must be deleaded, if a child under six still lives there, for the owner to remain free of strict liability.



# Does my family have to be out of the house during deleading or interim control work?

Residents must be out of the house for the entire time that a deleader is doing deleading work inside a home, and for some of the deleading work by owners and their agents. Residents may stay at home, but out of the work area, while a deleader, property owner or owner's agent without a deleader's license does certain other deleading tasks, or such interim control work as structural repairs or lead dust cleaning. Residents who have been out of the house may not return until the deleading work that made it necessary for them to leave is complete, the home is cleaned up, and a lead inspector or risk assessor has checked and found this work has been properly done. For complete details, contact CLPPP.

### Are there any exemptions to the Massachusetts Lead Law?

The Lead Law applies only to homes built before 1978 in which a child under six lives. Any home or apartment having fewer than 250 square feet of living space, or which is in a rooming house, is exempt, as long as no child under age six is living there. Finally, homes rented for 31 days or less for vacation or recreational purposes are also exempt, as long as there is no chipping or peeling lead paint in the home and the renter has received the Short-Term Vacation Rental Notification.

# What are the requirements of the state Lead Law if there is a lease with option to buy?

When there is a lease with an option to buy a home built before 1978 in effect, the owner of the property must have it deleaded or brought under interim control if a child under six lives there. If the tenant with an option to buy such a home proceeds to purchase it, he or she becomes responsible for meeting the requirements of the Lead Law if a child under six lives there after the purchase.

# How can I find out about how lead inspections, risk assessments and deleading should be done?

All lead inspections, risk assessments and deleading must be done according to the Regulations for Lead Poisoning Prevention and Control, 105 Code of Massachusetts Regulations 460.000 and the Deleading Regulations, 454 CMR 22.00. For full information, homeowners may get these regulations at the State House Book Store, State House, Boston, MA 02133. The phone number is (617) 727-2834.

Lead inspectors and risk assessors licensed by the Department of Public Health have been trained and are experienced in using the state-approved methods for testing for lead paint. These methods are the following: use of a solution of sodium sulfide, a portable x-ray fluorescence machine or lab tests of paint samples removed from the home. Deleaders licensed by the Department of Labor and Workforce Development have been trained to use safe methods to prepare for and do deleading work, and clean up afterwards. They may delead using any of the following methods: removing paint, removing building parts, covering and encapsulating. When removing paint, they cannot use certain very dangerous methods, such as open flame burning, dry abrasive blasting or power sanding without a special vacuum attachment.



### How do I get a lead inspection or risk assessment?

Included as part of this notification package is a listing of private licensed lead inspectors organized alphabetically, and private licensed risk assessors, similarly organized. Ask to see the inspector or risk assessor's license, to make sure it is current. You should arrange for the inspection or risk assessment as quickly as possible after deciding you want one. If you do have an inspection or risk assessment, you must give the seller a copy of the report.

### What is the best time to delead or undertake interim control?

The best time to delead a home or bring it under interim control is when the home is vacant, so that residents will not be exposed to lead and household furnishings will not be contaminated with lead. In addition, it often is efficient, and reduces costs, to combine deleading with other repair work being done to a vacant home.

### What is a Letter of Compliance and a Letter of Interim Control?

Under the state Lead Law, a Letter of Compliance is a legal letter that says either that there are no lead paint hazards or that the home has been deleaded. The letter is signed and dated by a licensed lead inspector. A Letter of Interim Control is a legal letter that says work necessary to make a home temporarily safe from lead hazards has been done. It is signed and dated by a licensed risk assessor. A Letter of Interim Control is good for one year, but can be renewed for one more year. The owner must fully delead the home and get a Letter of Compliance by the end of the second year if a child under six still lives there. The Lead Law does not require the removal of all lead paint from a home. An owner who gets a Letter of Compliance or Letter of Interim Control must take reasonable care to keep up the home, mainly by making sure there is no chipping or peeling lead paint. If an owner fails to take reasonable steps to maintain the home, he or she may become liable for damages to a child lead poisoned as a result of the owner's breach of that duty of reasonable care.

#### RENTAL PROPERTY INFORMATION

### What liability do rental property owners have if they don't comply with the state Lead Law?

If a property owner of a home built before 1978 in which a child under six lives fails to delead or bring the home under interim control, and a child is lead poisoned as a result, the property owner is strictly liable for all damages. An owner is not strictly liable for lead poisoning if a Letter of Compliance or Letter of Interim Control is in effect. Strict liability means owners may be liable even if they did not know lead paint was in the home. Since harm to the kidneys and blood cells, delays in growth, learning disabilities and emotional and behavioral disturbances resulting from lead poisoning can have life-long effects, monetary damages awarded against an owner responsible for a child's lead poisoning can be substantial. Failing to delead or bring under interim control a home to which the Lead Law applies is also an emergency public health matter, and can carry criminal penalties. An owner who is notified by a public agency of Lead Law violation in a property he or she owns, and who willfully fails to correct the dangerous conditions, is also subject to punitive damages, which are three times the actual damages found. These provisions are in addition to any other legal rights the lead-poisoned child may have.



# Can I avoid state Lead Law requirements by not renting to a family with children under six?

The Massachusetts Lead Law makes it illegal to refuse to rent to families with children under six, or evicting or refusing to renew the lease of families with children under six, because of lead paint. Discrimination against families with young children is also a violation of the U.S. Fair Housing Act and the Massachusetts anti-discrimination statute. Parents cannot waive the rights of their children to live in lead-safe housing or agree to assume to risks of lead exposure. Owners who violate these laws face heavy penalties. The Massachusetts Commission Against Discrimination investigates and prosecutes cases of discrimination against families with children because of lead paint.

It is also illegal for lenders to deny financing because a home has lead paint, or because financing could trigger future duties under the Lead Law. This does not restrict the right of a lender to process or deny a mortgage application in accordance with accepted underwriting practices and criteria.

# If I am considering buying a pre-1978 house to rent out, and a child under six lives in one of the apartments, should I have at least that unit and common area inspected for lead now?

Yes. If there are children under six living in such an apartment and the apartment does not have a Letter of Compliance or Letter of Interim Control, buyers should find out whether or not the apartment has lead hazards and will have to be brought into compliance with the state Lead Law. This information will be important in deciding whether to buy the property and at what price. As noted above, new owners have 90 days from the date of taking title to have such an apartment deleaded or brought under interim control. Therefore, they should arrange deleading or interim control work to begin as soon as possible after taking title, to be sure the work is done within 90 days.

# Can a landlord delay a tenancy to bring a home into compliance with the state Lead Law?

A landlord who will be deleading a home or bringing it under interim control may delay the start of the tenancy up to 30 days. This can be done as long as a lease between the landlord and the new tenant does not exist. During this delay period, the new tenants are responsible for their living expenses. If there is a signed lease, however, the landlord is responsible for temporary housing during relocation necessary for deleading work.

# Must a landlord arrange temporary housing for a tenant while a rental home is being deleaded?

Under the state Lead Law, tenants have to be relocated for the time that certain deleading work is taking place inside the home. They may not return until that work is done, the home is cleaned up, and a licensed lead inspector or risk assessor checks and finds it is fine for residents to move back in.

The landlord and tenant are responsible for working out an acceptable plan for alternative housing if it is necessary. The landlord may move the tenant to another place to live, which may be another house, apartment, motel or hotel. The landlord is responsible for paying the tenant's reasonable moving costs and any temporary housing costs over and above the rent of the home being deleaded. During the time the home is being deleaded, the tenant remains responsible for paying the normal rent they would pay for this period as their share of the cost of temporary housing. The Lead Law states the temporary housing must not cause undue economic or personal hardship to the tenant.



#### What is tenant notification?

The goal of the federal and state requirements for tenant notification is to help reduce lead poisoning by giving all tenants of homes built before 1978 information about lead in their home. The program also educates tenants and landlords about the dangers of lead poisoning, its prevention, and the Massachusetts Lead Law. Tenant notification applies to all tenants, whether or not they have a child under six living with them.

Before renting a home, landlords, managing agents or any real estate agent involved in the rental must give new tenants copies of any existing lead forms for the home. These include lead inspection reports, risk assessment reports, a Letter of Compliance (no matter how old) or a Letter of Interim Control. If the landlord or agent does not have any or all of these forms for the home, he or she simply does not give them. In addition, the landlord or agent must give new tenants the Tenant Lead Law Notification. This form addresses lead poisoning, specific prevention tips for parents, the requirements of the Lead Law and an explanation of the lead forms. Attached to the Tenant Lead Law Notification is the Tenant Certification form. This is to be filled out and signed by both the tenant and the landlord or agent. Each party gets a copy to keep. These forms have been approved to satisfy both state and federal lead notification requirements. Landlords or agents may choose to include the Tenant Lead Law Notification/Tenant Certification form in a written lease, instead of using a separate form.

Landlords and agents who fail to carry out their tenant notification obligations are liable for all damages caused by their failure to do so, and are subject to a fine up to \$1,000.

#### **INSURANCE INFORMATION**

How can an owner of rental housing in Massachusetts built before 1978 get insurance to cover potential lead liability?

The answer depends on the number of units that the property owner wishes to insure, and whether the property owner lives in the building for which insurance is sought. An owner-occupant who insures four or fewer units may be covered by homeowners insurance. Generally, the property owner who is not an owner-occupant will need to get commercial liability insurance, as will an owner-occupant who wishes to insure more than four units.

Homeowners insurance may be available from several different sources: the regular, "admitted" market, the FAIR Plan or the "surplus lines" market. The regular, "admitted" market is the usual market for insurance. The FAIR Plan offers homeowners insurance to property owners unable to find coverage in the regular market. The "surplus lines" market is a less regulated, and generally more expensive market. It provides insurance to those who cannot find coverage elsewhere.

Under state Division of Insurance regulations, if an insurer in the regular market decides to write homeowners insurance on rental housing for which a Letter of Compliance or Letter of Interim Control is in effect, the insurer must provide coverage of lead paint liability arising from those premises. Neither the state Lead Law nor the insurance regulations require a regular market insurer to write liability insurance, including homeowners insurance, on a particular property. If a Letter of Compliance or Letter of Interim Control is in effect for only part of a property, the coverage for lead liability will extend to only that part of the property. Such insurance will also apply to any common areas covered by the Letter of Compliance or Letter of Interim Control. It will not, however, extend to injuries resulting from gross or willful negligence. The FAIR Plan's coverage of lead liability is subject to the same regulations that apply to the regular market.

An insurer in the regular market, or the FAIR Plan, may ask the property owner to prove that there is a Letter of Compliance or a Letter of Interim Control for the home sought to be insured. Once the proof is provided, coverage for lead liability will apply as of the date of the Letter. If the Fair Plan determines that a given property is eligible for insurance, or if a regular market insurer elects to insure certain premises, either may exclude lead liability coverage on any part of the property it ensures to which no Letter of Compliance or Letter of Interim Control applies. If either the Fair Plan or a regular market insurer uses such an exclusion, it must offer the owner of the premises the chance to buy back the excluded coverage. There is an additional charge for the lead liability "buyback" coverage. The amount of this charge is regulated by the Division of Insurance.



In the surplus lines market, there is no requirement to cover lead liability arising from premises to which a Letter of Compliance or Letter of Interim Control applies. Surplus lines insurers generally exclude coverage of lead liability, do not offer the buyback coverage, and charge higher prices then the regular market.

Since the FAIR Plan does not provide commercial liability insurance, property owners who need to get such coverage (as opposed to homeowners insurance) must get it from either the regular market or the surplus lines market. Commercial liability insurance from the surplus lines market, like homeowners insurance from that market, usually will exclude coverage of lead liability, will not include the buyback option, and will cost more than regular market coverage.

While a regular market insurer can decline to write commercial liability insurance on a given property, once such an insurer decides to write such coverage, it must then insure lead liability arising from any part of the property covered by a Letter of Compliance or Letter of Interim Control. If such an insurer chooses to insure a property, it may exclude coverage of lead liability on any part of the premises for which no Letter of Compliance or Letter of Interim Control is in effect. If such insurer applies such an exclusion, it must offer the property owner the opportunity to buy back the excluded coverage. The lead liability insurance regulations described above as applicable to regular market homeowners insurance also apply to commercial liability insurance from the regular market.

Owners of rental housing should try to get coverage for lead liability, whether they have met the requirements of the Lead Law or not, by seeking regular market coverage through insurance agents, or by contacting direct writing companies that are listed in the telephone directory, before resorting either to the FAIR Plan or the surplus lines market.

# If I own and occupy a single-family house, does my homeowners insurance cover lead liability?

Under the state lead liability insurance regulations, coverage of lead liability cannot be excluded from regular market and FAIR Plan homeowners insurance policies on single-family owner-occupied homes. Instead, lead liability coverage is included in such policies. However, a family member covered by a homeowners policy cannot make a lead liability claim against another family member covered by the same policy. The requirements of the lead liability insurance regulations do not apply to homeowners coverage from the surplus lines market.

### How are new owners affected by the lead liability insurance regulations?

If a buyer of rental housing built before 1978 meets the state Lead Law's requirements and gets a Letter of Compliance or Letter of Interim Control within 90 days after becoming the owner, then, under certain conditions, they will be able to get coverage for lead liability for the period they owned the property before they deleaded or brought it under interim control. This will happen if a regular market insurer chooses to provide liability coverage on the property. Such an insurer is required to provide lead liability coverage to a new owner who obtains a Letter of Compliance or Letter of Interim Control within 90 days after becoming the owner of the property. Such coverage will go back to the time that the new owner took title to the property, unless the liability insurance went into effect some time after the taking of title. In the latter case, the coverage of lead liability will extend back to the time that the liability insurance held by the new owner first went into effect on the premises. The rule for new owner lead liability insurance coverage for the FAIR Plan is the same as for the regular market. These special rules for lead liability insurance for new owners do not apply to insurance from the surplus lines market.

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#### What happens next?

That's up to you. At this point, you should be well informed about lead poisoning, the effects of lead hazards in the home, and your responsibilities under the Massachusetts Lead Law. In the past, the Department of Public Health has had to devote its childhood lead poisoning resources to provide services to the thousands of Massachusetts children who were poisoned, as well as to providing services to children whose blood lead levels are elevated, to prevent them from becoming lead poisoned. Between the Department's work and the preventive deleading carried out by property owners, we have been successful at reducing the number of lead poisonings among young children in Massachusetts. All of us at the Department are hopeful that we will continue that partnership, in which the correction of lead hazards in the homes of young children before those children are lead poisoned is so important.

### Where can I get more information on lead poisoning?

Massachusetts Department of Public Health Childhood Lead Poisoning Prevention Program (CLPPP) (For more copies of this form, and full range of information on owners' and tenants' rights and responsibilities under the state Lead Law, financial help for owners, safe renovation work, and soil testing) <a href="https://www.mass.gov/dph/clppp">www.mass.gov/dph/clppp</a> (781) 744-6611, 1-800-532-9571

Massachusetts Department of Labor/ Division of Occupational safety (List of licensed deleaders) www.mass.gov/dos (617) 626-6962

Massachusetts Housing Finance Agency (Get the Lead Out loan program information) <a href="https://www.masshousing.com">www.masshousing.com</a> (617) 854-1000

U.S. Environmental Protection Agency Region 1 (New England) (Information about federal laws on lead) http://www.epa.gov/region1 (617) 918-1524

National Lead Information Center (lead poisoning information or lead in consumer products)
<a href="https://www.epa.gov/lead">www.epa.gov/lead</a> or 1-800-424-LEAD</a>

U.S. Consumer Product Safety Commission (Info about lead in consumer products) www.cpsc.gov or 1-800-638-2772



Massforms"

### PROPERTY TRANSFER NOTIFICATION CERTIFICATION

This form is to be signed by the prospective purchaser before signing a purchase and sale agreement or a memorandum of agreement, or by the lessee-prospective purchaser before signing a lease with an option to purchase for residential property built before 1978, for compliance with federal and Massachusetts lead-based paint disclosure requirements.

### Required Federal Lead Warning Statement:

Every purchaser of any interest in residential property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

inspection for possible lead-based paint hazards is recommended prior to purchase.
Seller's Disclosure
(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):
(i) Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).
(ii) Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
(b) Records and reports available to the seller (check (i) or (ii) below):
(i) Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (check documents below).
Lead Inspection Report; Risk Assessment Report; Letter of Interim Control; Letter of Compliance
(ii) Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.
Purchaser's or Lessee Purchaser's Acknowledgment (initial)  (c) Purchaser or lessee purchaser has received copies of all documents checked above
Purchaser or lessee purchaser has received copies of all documents checked above.  Purchaser or lessee purchaser has received no documents.
(e) Purchaser or lessee purchaser has received the Property Transfer Lead Paint Notification.
(f) Purchaser or lessee purchaser has (check (i) or (ii) below):
(1) received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the
presence of lead-based paint and/of lead-based paint nazards; or
(ii) waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.
•
Age nowledgment (initial)
Agent has informed the seller of the seller's obligations under federal and state law for lead-based paint disclosure and is aware of his/her responsibility to ensure compliance.
(h) doddoop verified Agent has verbally informed purchaser or lessee-purchaser of the possible presence of dangerous levels of lead in paint,
prosect, putty of other structural materials and his of her obligations to bring a property into compliance with the Massachusetts I and
Law - either through full deleading or interim control - if it was built before 1978 and a child under six years old resides or will reside
in the property.
Certification of Accuracy
The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have
provided is true and accurate.
- 11 Am
07/30/2019
Seller Date Seller Date
Purchaser Date Purchaser Date
Turchaser Date
JanetR Faulkner  08/06/19 2:10 PM EDT TWPV-DMYC-CKOR-FPOE
Agent Date Agent Date
Address of Property / Unit 46 Liberty Street, Everett, MA 02149
CLPPP Form 94-3, 6/30/94, Rev. 12/10

11

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# Commonwealth of Massachusetts

### BOARD OF REGISTRATION OF REAL ESTATE BROKERS AND SALESPERSONS

www.mass.gov/dpl/boards/re

MASSACHUSETTS MANDATORY REAL ESTATE LICENSEE-CONSUMER RELATIONSHIP DISCLOSURE THIS IS NOT A CONTRACT

This disclosure is provided to you, the consumer, by the real estate licensee listed in this disclosure.

### THE TIME WHEN THE REAL ESTATE LICENSEE MUST PROVIDE THIS NOTICE TO THE CONSUMER:

All real estate licensees must present this form to you at the first personal meeting with you to discuss a specific property. In the event this relationship changes, an additional disclosure must be provided and completed at that time.

### CONSUMER INFORMATION AND RESPONSIBILITY:

If you are a buyer or seller, you can engage a real estate licensee to provide advice, assistance and representation to you as your agent. The real estate licensee can represent you as the seller (Seller's Agent) or represent you as the buyer (Buyer's Agent), or can assist you as a Facilitator.

All real estate licensees, regardless of the working relationship with a consumer must, by law, present properties honestly and accurately, and disclose known material defects in the real estate.

The duties of a real estate licensee do not relieve consumers of the responsibility to protect their own interests. If you need advice for legal, tax, insurance, zoning, permitted use, or land survey matters, it is your responsibility to consult a professional in those areas. Real estate licensees do not and cannot perform home, lead paint, or insect inspections, nor do they perform septic system, wetlands or environmental evaluations.

Do not assume that a real estate licensee works solely for you unless you have an agreement for that relationship.

		CEIVING THIS DISCLOSU	RE IS HEREBY AI	DVISED THAT THE R	EAL ESTATE
LICENSE Check one:	E NAMED BELOW  Seller's agent		□ Facilitata		
	_	☐ Buyer's agent	☐ Facilitator		
f seller's o	r buyer's agent is che	cked above, the real estate lic	ensee must comple	te the following section	<b>:</b> :
Check one:	☐ Non-Designated Age	ncy	Designated Age	ncy	
	The real estate firm or	business listed below and all		named herein represents th	ne
		are also working as the agent		r (designated seller agency	
	of the 🔲 Seller 🔲 Buy	/er	buyer agency). In	this situation any other age	ents affiliated
			with the firm or bu	usiness listed below do not	t represent you
				another party in your real	estate
			transaction.		
n 2007 r	dotloop verifie	knowledge that this disclosur	e has been provided to t	he consumer named herein:	
Faulkner	dotloop verifie 08/01/19 11:5' EDT NVGE JENN/W	7 AM			07/30/2019
	00/04/40 44.5	7 AM	9516868	he consumer named herein:  Broker Salesperson	07/30/2019 Today's Date
o <del>lgnaure oj R</del> eller Willian	OB/O1/19 11:5' EDT NVOE-JENV-WI EUT ESTATE ELECTISEE  ms Realty Success	TAM    Y-ALII9 <b>i</b> net Ryan Faulkner	9516868		
olgnaure of R eller Willian	08/01/19 11:5' EDT NVOE-JENV-W	net Ryan Faulkner Printed Name of Real Estate Lice	9516868 nsee License #		
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<del>Signature oj R</del> eller Willian	og/or/19 11:5' EDT NVOEJENV-WI ear Estate Licensee  ms Realty Success tate Brokerage Firm	net Ryan Faulkner  Printed Name of Real Estate Lice  7874	9516868 nsee License #		Today's Date
Signature of Real Est	og/or/19 11:5' EDT NVOEJENV-WI ear Estate Licensee  ms Realty Success tate Brokerage Firm	net Ryan Faulkner  Printed Name of Real Estate Lice  7874  Brokerage Firm Real Estate Lice  James N Ryan	9516868 nsee License #	□ Broker ☑ Salesperson	Today's Date









### TYPES OF AGENCY REPRESENTATION

#### SELLER'S AGENT

A seller can engage the services of a real estate licensee to act as the seller's agent in the sale of the seller's property. This means that the real estate agent represents the seller, who is a client. The agent owes the seller client undivided loyalty, reasonable care, disclosure, obedience to lawful instruction, confidentiality and accounting. The agent must put the seller's interests first and attempt to negotiate price and terms acceptable to their seller client. The seller may authorize sub-agents to represent him/her in marketing its property to buyers, however the seller should be aware that wrongful action by the real estate agent or sub-agents may subject the seller to legal liability for those wrongful actions.

#### **BUYER'S AGENT**

A buyer can engage the services of a real estate licensee to act as the buyer's agent in the purchase of a property. This means that the real estate agent represents the buyer, who is a client. The agent owes the buyer client undivided loyalty, reasonable care, disclosure, obedience to lawful instruction, confidentiality and accounting. The agent must put the buyer's interests first and attempt to negotiate price and terms acceptable to their buyer client. The buyer may also authorize sub-agents to represent him/her in purchasing property, however the buyer should be aware that wrongful action by the real estate agent or sub-agents may subject the buyer to legal liability for those wrongful actions.

#### (NON-AGENT) FACILITATOR

When a real estate licensee works as a facilitator that licensee assists the seller and/or buyer in reaching an agreement but does not represent either the seller or buyer in the transaction. The facilitator and the broker with whom the facilitator is affiliated, owe the seller and buyer a duty to present all real property honestly and accurately by disclosing known material defects and owe a duty to account for funds. Unless otherwise agreed, the facilitator has no duty to keep information received from a seller or buyer confidential. Should the seller and/or buyer expressly agree, a facilitator relationship can be changed to a seller or buyer client relationship with the written agreement of the person so represented.

### DESIGNATED SELLER'S AND BUYER'S AGENT

A real estate licensee can be designated by another real estate licensee (the appointing or designating agent) to represent a buyer or seller, provided the buyer or seller expressly agrees to such designation. The real estate licensee once so designated is then the agent for that buyer or seller who becomes the agent's client. The designated agent owes the buyer client or seller client, undivided loyalty, reasonable care, disclosure, obedience to lawful instruction, confidentiality and accounting. The agent must put their client's interests first, and attempt to negotiate price and terms acceptable to their client. No other licensees affiliated with the same firm represent the client unless otherwise agreed upon by the client. In situations where the appointing agent designates another agent to represent the seller and an agent to represent the buyer in the same transaction, then the appointing agent becomes a dual agent. Consequently, a dual agent cannot fully satisfy the duties of loyalty, full disclosure, obedience to lawful instructions, which is required of a seller or buyer agent. Only your designated agent represents your interests. Written consent for designated agency must be provided before a potential transaction is identified, but in any event, no later than prior to the execution of a written agreement for purchase or sale of residential property. The consent must contain the information provided for in the regulations of the Massachusetts Board of Registration of Real Estate Brokers and Salespeople (Board). A sample consent to designated agency is available at the Board's website at www.mass.gov/dpl/re.

#### **DUAL AGENT**

A real estate licensee may act as a dual agent representing both the seller and the buyer in a transaction but only with the express and informed written consent of both the seller and the buyer. A dual agent shall be neutral with regard to any conflicting interest of the seller and buyer. Consequently, a dual agent cannot satisfy fully the duties of loyalty, full disclosure, obedience to lawful instructions, which is required of a seller or buyer agent. A dual agent does, however, still owe a duty of confidentiality of material information and accounting for funds. Written consent for dual agency must be provided before a potential transaction is identified, but in any event, no later than prior to the execution of a written agreement for purchase or sale of residential property. The consent must contain the information provided for in the regulations of the Massachusetts Board of Registration of Real Estate Brokers and Salespeople (Board). A sample consent to dual agency is available at the Board's website at www.mass.gov/dpl/re.

Last Revised: January 24, 2017







### **Unofficial Property Record Card - Everett, MA**

## **General Property Data**

Parcel ID C0-03-000152 Prior Parcel ID 53968 --

Property Owner RYAN JAMES N

Mailing Address PO BOX 893

City AMESBURY

Mailing State MA Zip 01913

ParcelZoning DD

Account Number C00003 000152 01

**Property Location 46 LIBERTY ST** 

**Property Use THREE FAMLY** Most Recent Sale Date 10/31/2002

Legal Reference 36885-492

Grantor RYAN JAMES N,

Sale Price 1

Land Area 0.198 acres

### **Current Property Assessment**

Xtra Features 8,700 Value Card 1 Value Building Value 364,000 Land Value 189,400 Total Value 562,100

### **Building Description**

**Building Style MULTI 3 FAM** # of Living Units 3

Year Built 1820

Building Grade C

**Building Condition Fair-Avg** 

Finished Area (SF) 3257.5

# of 3/4 Baths 0

**Number Rooms 16** 

Foundation Type MASONRY Frame Type WOOD **Roof Structure GABLE** Roof Cover ASPHALT SHNG

Siding ASBESTOS Interior Walls PLASTER

# of Bedrooms 4

# of 1/2 Baths 0

Flooring Type Hwd/Cpt

**Basement Floor Lino/Vinyl** 

Heating Type GRAVTY H/A

**Heating Fuel GAS** 

Air Conditioning 0%

# of Bsmt Garages 0 # of Full Baths 3

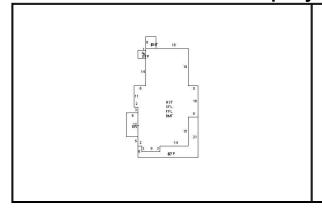
# of Other Fixtures 0

### Legal Description

### **Narrative Description of Property**

This property contains 0.198 acres of land mainly classified as THREE FAMLY with a(n) MULTI 3 FAM style building, built about 1820, having ASBESTOS exterior and ASPHALT SHNG roof cover, with 3 unit(s), 16 room(s), 4 bedroom(s), 3 bath(s), 0 half bath(s).

### **Property Images**





Disclaimer: This information is believed to be correct but is subject to change and is not warranteed.



Recorded: 10/31/2002 Document: 00000702 Page: 1 of 2

# QUITCLAIM DEED

I, James N. Ryan, Trustee of Westover Realty Trust, u/d/t dated July 27, 1961, recorded with the Middlesex South Registry of Deeds, Book 9866, Page 443, of Amesbury, Essex County, Massachusetts

for consideration paid, and in full consideration of, one Dollar and 00/100 (\$1.00)

grant to James N. Ryan of 92 Attitash Road, Amesbury, MA 01913, Essex County, Massachusetts

with QUITCLAIM COVENANTS that certain parcel of land with the buildings thereon known and numbered as 46 Liberty Street Everett situated in Middlesex County, Massachusetts bounded and described as follows:

For description see Exhibit "A" attached hereto and made a part hereof.

Witness our hands seals this 30	th day of October, 20	02.	
Frederice,			
James N. Ryan, Trustee of Wes			
11031			

# COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

October 30, 2002

Then personally appeared the above mentioned James N. Ryan, Trustee of Westover Realty Trust, and acknowledged the foregoing instrument to be his/her/their free act and deed, before me.

> AmMarie Colasanti - Notary Public My Commission Expires: 9/12/4

46 cisent St. Everett

MSD 10/31/02 11:55:14

### Exhibit "A"

The land with the buildings and improvements thereon, situate in Everett, Middlesex County, Massachusetts being lot numbered 7, as shown on a plan entitled "Plan of Building Lots in South Malden, belonging to the heirs of Solomon Corey, October 1867", which plan is recorded with Middlesex S.D. Registry of Deeds Book of Plans 15, Plan 36, and said lot is further bounded and described as follows, to wit:

Southerly by the Northerly line of Liberty Place (now Liberty Street) as shown on said plan, to be kept open and unencumbered for the use of the abutters thereon, sixty-six (66) feet,

Westerly by lot numbered 6 on said plan, one hundred twenty-nine and 62/100 (129.62) feet;

Northerly by land formerly of Joseph Yound, sixty-six (66) feet; and

h ...

Easterly by lot numbered eight on said plan, one hundred thirty one and 35/100 (131.35) feet.

Containing 8612 square feet.

## FISCAL YEAR 2019 ACTUAL REAL ESTATE TAX BILL

Based on assessments as of Jennary 1, 2018 your Real Estate Tax for the fiscal year beginning July 1, 2018 and ending June 30, 2019 on the percel of Real Estate described below is as follows

# REMIT COPY

THE COMMONWEALTH OF MASSACHUSETTS
CITY OF EVERETT
TREASURER/COLLECTOR
DOMENICO D'ANGELO

							BILL NUMBER	127783	
PROPERTY IDENTIFICATION AND VALUES					LIENS		QUARTERLY BILLING		
Map/Parcel C0-03-000152 Class 1050 Location 46	Land Value Building Value Other Value Taxable Value  LIBERTY ST	189,400 364,000 8,700 562,100	Land Area (sqft) Book Page Deed Date	8,624 36885 492 10/31/2002	l		Bill Date Billed 07/01/2018 Tax 1,644.45 10/01/2018 Tax 1,644.45 01/01/2019 Tax 1,834.95		<b>Due</b> 0.00 0.00 0.00
					Preliminary	3,288.90	01/01/2019 Liens 0.00 04/01/2019 Tex 1,834.95		0.00
RYAN JAMES N PO BOX 893			Actual	3,669.90	04/01/2019 Liens 0.00 Interest thru 05/14/2019		0.00		
A	AMESBURY, MA	01913			Total Tax	6,958.80	Demand & Chgs		
					Total Tax and Liens	6,958.80	Total Due	\$(	0.00
							Due Date	05/01/2	2019

026012019190000127783000000000000501194

Overdus amounts accrus interest at the rate of 14% par year until payment is received

### FISCAL YEAR 2019 ACTUAL REAL ESTATE TAX BILL

Based on assessments as of January 1, 2018 your Real Estate Tax for the fiscal year beginning July 1, 2018 and ending June 30, 2019 on the percel of Real Estate described below is as follows

**TAXPAYER COPY** 

THE COMMONWEALTH OF MASSACHUSETTS
CITY OF EVERETT

TREASURER/COLLECTOR
DOMENICO D'ANGELO

							BILL NUMBER	127783	
PROPERTY IDENTIFICATION AND VALUES					LIENS		QUARTERLY BILLING		
Map/Parcel C0-03-000152 Class 1050 Location 44	Land Value Building Value Other Value Taxable Value 6 LIBERTY ST	189,400 364,000 8,700 562,100	Land Area (sqft) Book Page Deed Date	8,624 36885 492 10/31/2002			Bill Date Billed 07/01/2018 Tax 1,644.45 10/01/2018 Tax 1,644.45 01/01/2019 Tax 1,834.95	(	<b>Du</b> (0.00
					Preliminary		01/01/2019 Liens 0.00 04/01/2019 Tax 1,834.95		0.00 0.00
RYAN JAMES N PO BOX 893 AMESBURY, MA 01913			Actual		04/01/2019 Liens 0.00 Interest thru 05/14/2019		0.00		
				Total Tax	6,958.80	Demand & Chgs			
					Total Tax and Liens	6,958.80	Total Due	\$0	00.0
							Due Date	05/01/2	01

#### 026012019190000127743000000000000501194

Overcine amounts accrue interest at the rate of 14% per year until payment is received

Abatement Applications to Assessors Due: 02/01/2019

Tax Rate per \$1000	Class 1	Class 2	Class 3	Class 4
	\$12,38	\$0.00	\$35.27	\$35,27

Office Hours

MON 8-7:30; T-W 8-5; THURS 8-7:30

MAKE CHECKS PAYABLE TO City of Everett

SEND PAYMENTS TO TREASURER/COLLECTOR 484 BROADWAY EVERETT MA 02149

THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE