

Vermont Lead Law – Seller’s Obligations

The Vermont Lead Law was passed in 1996 and updated in 2008 (18 VSA Chapter 38). The law requires sellers to provide lead disclosure information and educational materials approved by the Vermont Department of Health during real estate transactions for all pre-1978 housing, whether owner-occupied or rental. 18 V.S.A. § 1767. The law applies to residential properties built before 1978. Use the table below to determine the disclosure forms and educational materials required by the Lead Law. The disclosure forms and education materials are available on the Vermont Department of Health website at: <http://healthvermont.gov/enviro/lead/RealEstateTransactions.aspx>

Type of Property	Vermont Law Disclosure Form ¹	Educational Materials	When to Provide to Buyer	File Disclosure Form with Health Dept.
Certified Lead Free	Lead-Free Disclosure Form	None	As early as possible, but no later than at the time of sale	Yes
Owner-occupied single-family home	None	<ul style="list-style-type: none"> • <i>Protect Your Family From Lead in Your Home</i> • <i>Lead Hazards in Housing</i> • <i>Don’t Spread Lead</i> (brochure) 	Prior to Purchase & Sale Prior to Purchase & Sale At time of sale	No
Owner-occupied single-family home, subject to an Order ²	Single-Family Disclosure Form	<ul style="list-style-type: none"> • <i>Protect Your Family From Lead in Your Home</i> • <i>Lead Hazards in Housing</i> • <i>Don’t Spread Lead</i> (brochure) 	Prior to Purchase & Sale Prior to Purchase & Sale At time of sale	Yes
Residential Rental Property, applies to all properties whether or not the property is subject to an Order ^{2,3}	Rental Disclosure & EMP Verification Form	<ul style="list-style-type: none"> • <i>Essential Maintenance Practices & the Vermont Lead Law</i> • <i>Protect Your Family From Lead in Your Home</i> • <i>Lead Hazards in Housing</i> • <i>Don’t Spread Lead</i> (brochure) 	Prior to time of Sale Prior to Purchase & Sale Prior to Purchase & Sale At time of sale	Yes

¹ A separate disclosure form is required by Federal law.

² Prior to executing a purchase and sale agreement and again at the time of sale, the seller must disclose any court order, including any assurance of discontinuance or administrative order that applies to the property, unless all the terms of the order have been fully completed. Prior to sale, the seller must either fully complete all the obligations under any court order, or the order must be amended in writing to transfer all remaining obligations to the buyer.

³ Rental properties include duplexes and other multi-family dwellings, but do not include transient occupancy facilities such as hotels and motels that are rented for 30 days or less. For further information see the definitions of “target housing” and “rental target housing” in 18 V.S.A. § 1751.

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