

## Criminal Enforcement/Lead Based Paint Rules: U.S. Department of Justice Announced Sentencing of Washington, D.C., Individual for Alleged Violations



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The United States Department of Justice (“DOJ”) issued a January 16th news release stating that a Washington, D.C. individual had been sentenced in the United States District Court for allegedly violating the Toxic Substances Control Act (“TSCA”) lead-safe work practices/lead disclosure requirements.

The individual identified is Mohammad Sikder.

The individual is stated to have previously pled guilty on June 20, 2019. Further, the individual’s solely held company is also stated to have pled guilty to allegedly making false statements at his direction in regards to 25 building permit applications to the District of Columbia Department of Consumer and Regulatory Affairs.

The applications are stated to have understated the age of the homes being renovated. The alleged intent was to avoid regulatory scrutiny of inadequate lead-based paint safety measures at such properties.

The TSCA Renovation, Repair and Painting Rule requires that contractors performing renovation, repair and painting projects that disturb lead-based paint in homes, childcare facilities, and schools built before 1978 be certified and follow specific work practices to prevent lead contamination.

A document that accompanied the plea agreements of both the individual and his company (District Properties, LLC) states that a property was purchased and renovated in Washington, D.C. without following the previously referenced rule. Demolition work is stated to have included removing windows, removing interior and exterior painted surfaces, and removal of floor and ceiling joists.

A September 24, 2015 OSHA inspection is stated to have revealed multiple hazards which included employees performing manual demolition on a wall surface that had paint containing lead along with lack of lead training and failure to follow proper sanitation practices. Further, it is alleged that when the property was properly remediated and sold that the purchasers were not provided with information and a report documenting the prior existence of lead-based paint.

The individual was sentenced to 60 days’ incarceration, two years of supervised release, a \$50,000 fine and 300 hours of community service.

A copy of the news release can be downloaded [here](#).