

City of Lexington, Nebraska

Policies and Guidelines

*for*

CDBG OWNER OCCUPIED HOUSING REHABILITATION PROGRAM

CDBG 15-HO-33075

Approved:

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John Fagot, Mayor

City of Lexington

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Date

1. PROGRAM GUIDELINES

**Application Process**

A. Applicant Eligibility

Applicant eligibility depends on several basic criteria that include income and assets. Applications assisted with NAHP homebuyer funds must have incomes at < 80% AMI. Only owner-occupied units will be eligible for rehabilitation assistance. Both units of a duplex are eligible for assistance if the one is an owner-occupied unit and the second unit is occupied by a member(s) of the owner’s family. Single family and duplexes are eligible.

B. Anticipated Gross Annual Income (CFR 5.609)

Anticipated Gross Annual Income shall be calculated using HUD methodology outlined in 24 CFR 5.609 included in these guidelines as Income Limits (**Table 1**) for housing rehabilitation for forgivable loans are the same as the income limits established by the U.S. Department of Housing and Urban Development (HUD) for the county, under the Section 8 Housing Assistance Payments Program. Only applicants at or below 80% of the area median income for the county of residence will be eligible for participation in the program. These limits will be updated within 30 days of HUD notification.

**Table 1**

| <b>2017 Income Limits for Dawson County (City of Lexington)</b> |          |          |          |          |          |          |          |          |
|---|----------|----------|----------|----------|----------|----------|----------|----------|
| Persons in Family   | 1        | 2        | 3        | 4        | 5        | 6        | 7        | 8        |
| 80% of AMI  | \$35,100 | \$40,100 | \$45,100 | \$50,100 | \$54,150 | \$58,150 | \$62,150 | \$66,150 |

The most current income limits for Dawson county can be viewed at:

[www.huduser.gov/portal/datasets/il/il2017/2017summary.odn](http://www.huduser.gov/portal/datasets/il/il2017/2017summary.odn)

C. Formal Notification of Selection and Non-Selection Policy

One initial application cycle will be open for thirty (30) days after marketing of the program in the community. All applications received during the application period will be reviewed together and rated on the priority scale as shown in **Section E**. In cases in which this rating yields equivalent scores, priority will be determined in accord with those exemplifying worst case housing need. All applicants at this time will be notified in writing if selected or not selected. If an application is not selected it will be noted in the letter the reasons for non-selection. If remaining funds exist after initial application cycle, applications will be accepted until all funds are obligated and eligible households will be selected and notified in writing on a first-come first serve basis. Non-eligible households will again be notified in writing of non-selection.

D. Application Review Process

An application will be reviewed and processed by:

- i. Family survey and finding of applicant income eligibility; and
- ii. Proof of homeowner's insurance documented and verified.
- iii. Title search showing clear title to property in homeowner's name.
- iv. Notification from the Nebraska State Historical Society of no historical impact.
- v. Proof of payment of current property taxes.
- vi. Work write-up/cost estimates to determine property eligibility. This will be done only for income eligible households.
- vii. Applicants will be reviewed and approved or denied until all program funds are obligated.

E. Priority Ranking System

A priority ranking system will be used for all applications. Factors taken into consideration for priority ranking:

**INCOME**

- Less than 100% of the maximum income level for program
- Less than 90% of the maximum income level for program
- Less than 80% of the maximum income level for program
- Less than 70% of the maximum income level for program
- Less than 60% of the maximum income level for the program

**HOUSING CHARACTERISTICS**

- Handicapped/Disabled
- Elderly (62 and over)

**IMPROVEMENT IMPACT**

- Eliminate Hazardous Conditions
- Eliminate Housing overcrowding
- Eliminate isolated incidence of deterioration
- Substantial energy conservation improvements

**OTHER FACTORS**

- Demonstrated efforts toward proper maintenance
- More than 50% of monthly income spent on housing cost

F. Conflict of Interest Clause

No member of the City Council of the City of Lexington or employee or agent of the City of Lexington, nor a member of the grant administrator board or its agents, who exercises policy, decision-making

functions or responsibilities in connection with the planning and implementation of the NAHP Housing Rehabilitation Program shall directly or indirectly be eligible for the Program. This prohibition may be waived on a case by exemption made upon consultation and approval of the Nebraska Department of Economic Development.

G. Grievance Procedures

Complaints concerning the CDBG OOR Program shall be submitted in writing and addressed to the program Administrator. The program Administrator will contact the complainant and attempt to resolve the problem. A written response will be made within thirty (30) working days. If the response is not satisfactory, a complaint may be filed with the Lexington City Manager. His/her response will be in writing and will be made within forty-five (45) working days. If the response is not satisfactory, mediation will be offered by a designated non-interested 3<sup>rd</sup> party that is familiar with DED Rehab Standards and program guidelines. NDED will be notified of all grievances received. The grievance procedure outlined here will be included in all homeowner funding contracts.

- i. These policies and procedures may be amended at any time at the discretion of the Lexington City Manager with approval from the Nebraska Department of Economic Development.

H. Guideline Amendment Process

These policies and procedures may be amended at any time at the discretion of the Lexington City manager with approval from the Nebraska Department of Economic Development.

**Assistance**

I. Types of Assistance Provided

- i. Allowable Improvements

Any improvement required to bring the unit up to Nebraska Department of Economic Development DED Rehab Standards at the completion of rehabilitation are allowable. Any improvements resulting in substantial weatherization, exterior painting/siding are allowable. All improvements must be physically attached to the property and permanent in nature.

- ii. Non-allowable Improvements

General property improvements are the improvements in excess of Nebraska Department of Economic Development DED Rehab Standards or local code requirements and are specifically prohibited. Improvements of this type include but are not limited to additions for family rooms or dens, carports, spare bedrooms and the installation or upgrade of existing building components only for the purpose of esthetic/monetary gain. They are not eligible improvements for the OOR Housing Rehabilitation Program.

J. Amount of Assistance Allowed

Financial assistance through the City of Lexington Housing Rehabilitation Program will be provided through a 5-year 100% forgivable loan. All applicants must be at or below 80% of the area median income which shall be determined from the most recent 12 months of data

available and calculated using the Technical Guide for Determining Income and Allowances for the HOME Program, Chapter III.

- This program is considered to be a 5-year forgivable loan. Amount awarded will be 20% forgivable every twelve (12) months. After five (5) years of living in the home as the permanent residence the loan will be 100% forgivable.

MAXIMUM FORGIVABLE LOAN = \$25,000 of NAHP Funds.

- K. Assistance does not exceed NAHP maximum per unit subsidy.

| HOME Homeownership Sales Price Limits- FY 2017 |              |              |              |              |
|--|--------------|--------------|--------------|--------------|
| (New limits posted May 24, 2017)               |              |              |              |              |
| Existing Homes HOME Purchase Price Limit       |              |              |              |              |
|  | 1-Unit       | 2-Unit       | 3-Unit       | 4-Unit       |
| Dawson County, NE                              | \$144,890.65 | \$176,186.05 | \$227,927.95 | \$250,193.35 |

Subsidy limits can be found at: <https://opportunity.nebraska.gov/grow-your-community/data-for-applicants-and-grantees/#limits-data>

- L. Unit must be located within the corporate limits of the City of Lexington, Dawson County, NE.

**HUD and DED Compliance Policies**

- M. Lead Based Paint Regulations

All homes constructed before 1978 will be tested to determine if they contain lead based paint. All rehabilitation work to be completed will comply with HUD’s lead-based paint regulation requirements, and the City of Lexington’s Lead-Based Paint Procedures. **(Exhibit 1)**

- N. Policy for compliance with DED Rehab Standards

The City of Lexington has adopted the Nebraska Department of Economic Development DED Rehab Standards as the standard to be used by the Housing Rehabilitation Program manager. NDED Standards provide rules and criteria for keeping housing sound and sanitary, equipped with basic facilities and not overcrowded.

Another standard to be used in this program is the Work Standard Specifications for Property Rehabilitation. This standard refers to certain details regarding the types of materials and how they are to be used insofar as housing rehabilitation itself is concerned. It is a practical standard with which both the Rehabilitation Manager and the Contractor must be thoroughly familiar.

O. Post-Rehab Valuation for Existing Housing

The new HOME ownership value limits for existing HOME units is 95 percent of the purchase price for the area based on Federal FHA single family mortgage program data for existing housing and other appropriate data that are available nation-wide for sale of existing housing in standard condition. The City of Lexington is within the North Platte area.

| HOME Homeownership Value Limits |                                 |           |           |           |
|---------------------------------|---------------------------------|-----------|-----------|-----------|
| Existing Housing                |                                 |           |           |           |
| Effective March 1, 2017         |                                 |           |           |           |
|                                 | Mortgage Amount per Family Unit |           |           |           |
|                                 | 1-Unit                          | 2-Unit    | 3-Unit    | 4-Unit    |
| Dawson County, NE               | \$128,000                       | \$164,000 | \$199,000 | \$246,000 |

Valuation limits may be found at: <https://www.onecpd.info/resource/2312/home-maximum-purchase-price-after-rehab-value/>

P. Home Ownership

A title search shall be performed prior to award to ensure clear title and determine if there are any outstanding liens on the property.

Q. Infeasibility

If the cost to rehabilitate the home to DED Rehab standards exceeds \$25,000 it shall be considered infeasible. The owner shall be directed to alternative agencies that may be able to provide necessary assistance. No alternative assistance shall be provided through this program. Referrals are made to various partners who can leverage funds such as:

- USDA Rural Development- direct of guaranteed loans, as a source of below market rate loans.
- Mid Nebraska Community Action Partnership: Weatherization Program

R. Relocation Policy

No anticipated voluntary or involuntary relocations will be caused by the City of Lexington's OOR Program, however in the event a temporary relocation is necessary the City of Lexington will follow 49.CFR.24.101 and any costs will be at the homeowner's expense. In cases where either voluntary or involuntary acquisition is anticipated, DED will be contacted prior to any action.

S. Method of Ensuring Affordability Period

The City of Lexington will file a deed restriction on said property during the five (5) year period for which occupancy is required. The loan will be forgiven on a pre-rated scale, with 20% of total assistance forgiven every twelve months. Upon successful completion of occupancy period, the City of Lexington will release said Deed Restriction. Upon vacation of property, sale of property, or foreclosure, the City of Lexington will require payment due of outstanding loan amount.

T. Energy Efficiency Criteria

It is the desire of this program to provide funds for energy efficient homes. Therefore, homes with such features as energy efficient windows and high efficiency appliances (heating and cooling, water heater, etc.) will be a priority for this program. Newly constructed housing will meet or exceed the 2003 International Energy Conservation Code and building specifications must be approved by the Nebraska Energy Office.

U. N/A

V. Beneficiaries from previous years may not receive additional rehabilitation assistance on the same property for which they initially received assistance.

W. Fair Housing Act

The program will be in compliance with the Fair Housing Act, and more particularly with Title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, section 109 of Title I of the Housing and Community Development Act of 1974, Title II of the Americans with Disabilities Act of 1990, the Architectural Barriers Act of 1968, the Age Discrimination Act of 1975 and Executive Orders 11063 and 13166. The City of Lexington will not discriminate because of race, color, national origin, religion, sex, sexual orientation, veteran status, disability and the presence of children.

**Affirmative Marketing Procedures**

X. The owner-occupied housing rehabilitation will be marketed in Lexington through the following methods:

- i. Press Release to local English and Spanish newspapers.
- ii. Notification to patrons of Grand Generation Center.
- iii. Notification of programs to Lexington Housing Authority.
- iv. Notification of program to all local churches in Lexington.
- v. Notification of program to Community Action Partnership of Mid-Nebraska.
- vi. Notification of program to USDA-Rural Development.
- vii. Public Service Announcements on local radio station, in English and Spanish.

- viii. Fliers placed in municipal building, courthouse, and banks in Lexington in both English and Spanish.
- ix. Letters sent to all utility customers in Lexington.
- x. Notification Somali elders and clergy at Tyson and Lexington Somali Community Center.

Those households least likely to apply have been identified as those of new immigrants and individuals with Limited English Proficiency. To ensure that these households are made aware of the program, several marketing methods will utilize Spanish. A significant Somali population has been identified in the LEP Plan adopted by the City of Lexington. That plan also identifies effective methods of communicating with individuals and households that may have low literacy rates in their primary language, in addition to limited English proficiency. Communication to Somali elders and clergy who are proficient with English and are respected within their community is an established method for reaching that population group.

- Y. The City of Lexington will be collecting photographs of the project, including before, after, indoor, outdoor, and grounds photos. The owner authorizes the City of Lexington the right to take photographs of their property for the CDBG OOR Program. The Owner agrees that the City of Lexington may use such photographs with or without the owner's name and for any lawful purpose, including for example such purposes as publicity, illustration, advertising, and web content.



## EXHIBIT 1: IMPLEMENTATION OF LEAD-BASED PAINT REGULATIONS

This document is an attachment to the Program Guidelines for the proposed Housing Program, and addresses the components of this Program that are impacted by HUD's Lead-Based Paint Regulations. HUD exempts from these regulations all residential properties built after January 1, 1978.

The process for the development and implementation of a housing program can be organized into seven stages. These are as follows:

1. Program Planning
2. Rehab Program Set-up
3. Client Outreach and Intake
4. Specification and Feasibility
5. Bidding and Contracts
6. Construction Monitoring
7. Warranty and Evaluation

The attached Program Guidelines reflect each of these stages, although they are not specifically labeled as such. Housing programs which are incorporating HUD's Lead-Based Paint Regulations into their activities must consider the impact the lead-paint guidelines have on each stage. The titles of the sections below refer to the Housing Program's development and implementation stages that are impacted by the lead-based paint requirements. The information contained in each section reflects steps planned or taken to incorporate with the Housing Program's Guidelines those steps necessary to achieve compliance with HUD's Lead-Based Paint Regulations.

### 1. Program Planning

Program Design: The Grantee will set up certain strategies that incorporate the process for evaluating both a property's rehabilitation needs and needs related to lead-based paint, assessing impact of lead paint on rehab costs, and methods for coordinating rehab efforts with lead paint contractors / professionals to ensure appropriate timing of activities and successful clearance of the property.

Additional Costs: Lead-hazard evaluation, reduction and clearance testing costs require additional funding. These are included in the Program's budget. The overall effect is that fewer houses than the number planned may be completed as a result of these additional costs. In order to minimize this impact, every effort will be made to locate and secure additional resources for a project requiring lead hazard reduction, such as the Nebraska Lead Hazard Control Program.

### 2. Rehabilitation Program Set-up

Occupant Relocation: With lead-hazard reduction work comes the issue of occupant relocation. The Uniform Relocation Act (URA) requirements do not apply if the house is currently not occupied, or if the housing project is owner-occupied rehabilitation. However, a relocation policy is essential.

The Grantee has adopted the following Relocation Policy in an effort to ensure occupant protection:

Occupants will be temporarily relocated before and during lead hazard reduction activities to suitable, decent, safe and similarly accessible dwelling unit that does not have lead-based paint hazards, except if:

- (a) treatment will not disturb any lead-based paint, dust-lead hazards or soil-lead hazards;
- (b) only the exterior of the dwelling unit is treated, and windows, doors, ventilation intakes and other openings in or near the worksite are sealed during lead hazard control work and cleaned afterward, and entry free of dust-lead hazards, soil-lead hazards and debris is provided;
- (c) treatment of the interior will be completed within one period of 8 daytime hours, the worksite is contained to prevent the release of leaded dust and debris into other areas, and treatment does not create other safety, health or environmental hazards; or
- (d) treatment of the interior will be completed within 5 calendar days, the worksite is contained to prevent the release of leaded dust and debris into other areas, treatment does not create other safety, health or environmental hazards, and at the end of each workday, the worksite and the area within at least 10 feet of the containment area is cleaned to remove any visible dust or debris, and occupants have safe access to sleeping areas and bathroom and kitchen facilities.

Relocation options are limited to those which place no cost responsibility on the Grantee. If an occupant refuses to relocate as required by this policy, his or her home will no longer be considered for participation in the Program.

HUD has advised that relocation of elderly occupants is not typically required, so long as complete disclosure of the nature of the work is provided and informed consent of the elderly occupant(s) is obtained before commencement of the work. Thus, we will follow this policy with regard to our elderly occupants.

Program Checklist: The Program Checklist is initially utilized by the housing specialist to document those items that are not in compliance with the minimum rehab standards of NDED. The housing specialist has added to this checklist the most frequently occurring component treatments in lead hazard reduction work. This will assist in the development of costs in the initial work write-up.

Library of Specifications: In order to prepare appropriate bid documents, the housing specialist will consult a specs library that contains lead specifications.

Lead Rehab Standards: The following represent the standards for lead hazard reduction activities for this housing program:

- Repair Standard: All exterior paint shall be stabilized using lead-safe work practices
- Replacement Standard: Leaded components shall be replaced/removed to create a lead-free exterior, unless cost prohibitive. When replacement is cost prohibitive, stabilization of paint is a reasonable alternative.
- Bare Soil: When present in child's play area, and / or in a quantity greater than nine square feet, the soil shall be tested for lead content. When quantities of lead in soil above HUD's defined thresholds are identified, the appropriate level of intervention will occur (interim controls or abatement).
- Windows: Dilapidated lead-containing windows shall be replaced if budget allows.
- Repair Standard: Lead-containing walls, trim, doors and cabinets must have any deteriorated paint stabilized using lead-safe measures. As an alternative, a liquid encapsulant can be applied on components when the surface is deemed suitable for such coatings.

- Replacement Standard: When funding is sufficient, lead-containing walls, trim, doors and cabinets identified during a lead-paint inspection can be replaced or enclosed as appropriate.

Project Budget: While developing the budget for a project, costs related to all lead activities are included.

Securing Qualified Contractors: In order for contractors to be qualified to perform work on a project that will disturb lead-based paint, the contractor, minimally, must successfully complete a class in Lead-Safe Work Practices. The Lead Listing maintains a website by state of contractors who have successfully completed this training. Nebraska has over 1,000 contractors throughout the state that are listed on this website ([www.theleadlisting.org](http://www.theleadlisting.org)). This Program is committed to assist in building contractor capacity if there are not enough trained contractors in the service area.

Additionally, contractors who are certified abatement workers or certified abatement supervisors are more than qualified to perform work disturbing lead-based paint. A list of these professionals is maintained on a website of the Nebraska Health and Human Services System. The State of Nebraska through its Lead Hazard Control Program is actively working to build capacity in the area of certified abatement contractors.

Services of Nebraska certified lead-based paint Inspectors and risk assessors are also essential for this Project. A list of these individuals is included on the same Nebraska website as that which lists state certified abatement workers and supervisors.

At this time there appears to be a sufficient number of contractors and lead paint inspectors/risk assessors with the necessary training to fulfill the needs of this Program. Appropriate procurement procedures will be followed to secure the services of qualified contractors/professionals.

Contract Documents: Program documents have been revised to address lead issues as needed.

Lead Record Keeping: Internal procedures to ensure that date sensitive activities occur as required are necessary. Lead records will be stored up to five years.

### **3. Client Outreach and Intake**

Application Information: The current application process is outlined in the attached Program Guidelines. The Program Application now requests the following additional information:

- Age of the property
- Age of children living in the home
- Existing information on these children's blood lead levels
- Property lead paint history

Lead Pamphlet and Process Information: Occupants will be provided with a copy of the HUD/EPA/CPSC pamphlet *Protect your Family from Lead in Your Home*. This will also satisfy the requirement of the contractor under EPA's pre-renovation education rule.

Occupants will be informed if lead-based paint and/or lead-based paint hazards are found in the home. Program staff will also speak with them about lead hazard reduction process issues, including lead-safe work practices and relocation that occupants may have to face as the rehabilitation work moves forward. Lead hazard reduction strategies will be discussed, and it will be stated that the hazard reduction is not optional if the property is to be rehabbed in this Program.

#### 4. Specification and Feasibility

Initial Inspection: The housing specialist will utilize the initial inspection to identify the location and nature of potential lead hazards, along with the property's rehab needs. While a more comprehensive lead-inspection/risk assessment may occur later, the housing specialist will use the information s/he collected to develop a cost estimate that takes into consideration potential lead hazard reduction strategies that may be required, in addition to the proposed rehab work.

Cost of Work: The cost estimate in the work write-up prepared by the housing specialist will be utilized to determine the extent of lead hazard evaluation and reduction required.

Lead Hazard Evaluation: Lead evaluation requirements differ based on the amount of federal funds used in a project. The following guidelines apply to this Program:

- Work up to and including \$5,000 – Does not require a lead-based paint inspection or risk assessment. Can assume all surfaces with deteriorated paint and any others that are disturbed during rehab are positive for lead-based paint. Lead-safe work practices and clearance are required. If a lead-based paint inspection occurs, only those positive for lead-based paint require lead-safe work practices and clearance.
- Work over \$5,000 – Does not require a lead-based paint inspection, but DOES require a risk assessment of the entire unit. Can assume all surfaces with deteriorated paint and any others that are disturbed during rehab are positive for lead-based paint. Lead-safe work practices and clearance are required. If a lead-based paint inspection occurs, only those positive for lead-based paint require lead-safe work practices and clearance.
- No project in this Program will be approved for rehab funds in excess of \$25,000, so abatement strategies will not be utilized.

As a rule, the risk assessor's recommendation on a project will be followed. The Program reserves the right to request a second opinion if the recommendations seem questionable.

Integrate Lead and Non-Lead Work: Once the location and nature of lead hazards have been determined, the housing specialist will determine how to contract for hazard reduction in conjunction with the regular rehabilitation work in light of the risk assessor's recommendations, or when no risk assessment is performed, for lead-safe work practices (also referred to as "standard treatments" in HUD's Guidelines).

Project factors to consider include size of project, time limits, and nature of work to be completed. Typical contracting options include:

- Use of a rehab contractor whose staff has completed HUD-approved training to perform all rehab and lead hazard reduction work (potentially more cost-effective);
- Use a lead hazard reduction contractor to abate all lead-based paint and clear the unit before a rehabilitation contractor does the rehabilitation (potentially costlier and, in some areas, difficult to find such contractors), but may be cost-effective if the building has relatively little lead-based paint; and
- Perform lead hazard reduction and rehabilitation in stages with clearance at the end of rehab.

Establish Relocation Requirements for Current Project: Occupant relocation issues will also be considered when determining the contracting approach to utilize. Once the contracting approach has been determined, if occupant relocation is planned, a written agreement with the occupant will be obtained. This agreement will contain the stipulations that the Housing Program will not be

responsible for any relocation costs, and that occupants may not return to the property until they have been notified that the home has been successfully cleared of the relevant lead hazards.

Finalize Specifications: Based on the property inspection, any lead hazard evaluation reports, relocation plan (if needed) and selected strategies, the housing specialist will prepare a final work write-up for the rehabilitation and lead hazard reduction work.

The joint work write-up prepared by the housing specialist will contain specifications for both rehab and lead hazard reduction activities.

Notify of Lead Hazard Evaluation: Program staff will notify the homeowner of the results of the lead hazard evaluation within 15 days after the results have been determined. This notice will contain the following information:

- A summary of the nature, scope and results, including the presence and location of known lead-based paint and/or lead-based paint hazards, or, if lead-based paint is presumed, the nature and scope of the presumption;
- The name, address and phone number of a contact person from whom occupants can get further information, including the full report of the testing methods and results; and
- Date of the evaluation notice.

## **5. Bidding and Contracts**

Pre-Construction Walk-Through: A pre-construction conference is an important step to the lead hazard control process so that all parties involved may have an opportunity to address concerns and clarify expectations, especially when occupant relocation is necessary. Program staff, the homeowner and the contractor will meet to discuss relevant project issues.

Items to cover during the pre-construction conference include:

- Owner's receipt of the lead hazard information pamphlet from the Housing Program or the contractor;
- Lead hazard reduction techniques and work sites;
- Project schedule including start dates;
- Relocation schedule;
- Coordination of lead hazard reduction with the rehabilitation work;
- Timing of the clearance inspection(s);
- Lead-safe work practices;
- Occupant protection measures, such as work site restrictions, protecting the occupants' belongings and work site containment;
- Progress inspections;
- Handling and disposal of lead waste;
- Cleanup procedures;
- Clearance procedures; and
- Re-cleaning responsibilities.

## **6. Construction Monitoring**

Relocate Occupants: Timing and staying on schedule are more important in lead hazard reduction work than rehab, particularly when occupants have been relocated. Occupants should relocate prior to commencement of lead hazard reduction activities.

Steps of Lead-Safe Work Practices: There are four key components the housing specialist should monitor when conducting progress inspections. These are as follows:

- Daily Worksite Protection
- Worksite Preparation
- Worker Protection
- Daily Cleanup

Program staff will immediately report any concerns regarding observations on the worksite to the contractor.

Clearance Inspection: Clearance testing is to be performed no less than one hour after the completion of the lead hazard reduction work. A certified risk assessor will conduct this testing in accordance with HUD's regulations, and submit the dust wipe samples to an NLLAP recognized lab.

Lab Results: Once the lab results are available, the risk assessor will immediately notify the Program staff by phone, and then subsequently, with a written clearance report. Program staff will notify the occupant and the contractor of the results by phone as soon as possible.

Re-Clean Unit: If any of the dust wipe samples fail, the contractor is responsible for re-cleaning the worksite where the test failed within 24 hours. Clearance testing must occur again. All additional cleaning and re-testing costs are the responsibility of the contractor. Failure a second time may warrant a worksite meeting between the housing specialist and the contractor to evaluate potential cause of failure. Re-cleaning will occur until the unit passes clearance.

Re-Occupancy: Once a unit has successfully achieved clearance, the occupants will be allowed to re-enter. This authorization will come from Program staff.

## **7. Warranty and Evaluation**

Provide Lead Hazard Reduction and Clearance Notices: Once all lead hazard activities have been completed and the unit cleared, occupants must be provided a written report which includes the following information:

- A summary of the hazard reduction activities and clearance results;
- A contact name, address, and telephone number for further information; and
- The locations of any known remaining lead-based paint surfaces and lead hazards.

Lead Documentation: Lead documentation will be kept for a minimum of 5 years. Copies of the following shall be included:

- Proof of distribution of the HUD/EPA/CPSC pamphlet *Protect your Family from Lead in Your Home*;
- Risk assessor's report;
- Notice of Lead Hazard Evaluation or Presumption;
- Cost of work calculations;
- Work write-up for rehab items;
- Clearance report with proof of receipt;
- Results of all lab tests for samples taken before and after work; and
- Any photographs, videos, or written records about the condition of the work site before work started.

The integration of HUD's Lead-Based Paint Regulations with housing rehab programs is an essential process to ensure both occupant and worker protection.