



# DELAWARE COUNTY LEAD HAZARD REDUCTION PROGRAM PROGRAM GUIDEBOOK

*An initiative of*  
**Delaware County Council**  
*and the*  
**Office of Housing and  
Community Development**



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The **Lead Hazard Reduction Program** (LHRP) helps qualified homeowners, landlords, and renters improve the safety of their properties and homes by testing for and remediating lead paint. This Program is available to any person meeting the qualification standards without regard to race, color, religion, sex, national origin, handicap or familial status. Delaware County has established this program to assist qualified residents in reducing and ultimately eliminating lead-based paint hazards in their homes. The program is funded through a grant from HUD's Office of Lead Hazard Control and Healthy Homes and is subject to HUD rules and requirements.

Please note that program funding is limited and applications will be processed on a first come, first served basis with priority being given to households with children that have tested positive for Elevated Blood Levels (EBL) and households located in one of the County's identified target areas (see map for identified areas).

## HOW TO USE THIS GUIDE

This guide is designed to help you understand the County's Lead Hazard Reduction Program. Please read each section carefully and retain this Guide for future reference. Included with this guide is a complete program application.

Some definitions for your reference:

**LHRP** – Lead Hazard Reduction Program. A federally funded HUD lead paint removal program administered by Delaware County.

**OHCD** – Office of Housing and Community Development. This County office is responsible for administering the Lead Hazard Reduction Program.

**Program Manager** – The Program Manager will be your primary contact at OHCD for any Program related questions or concerns.

**LIRA** – Lead Inspection and Risk Assessment. Each project will begin with a lead-based paint inspection done by a certified inspector and risk assessor. An inspection is a surface-by-surface investigation to determine if there is lead-based paint and where it is located. A risk assessment is an on-site investigation to determine the presence, type, severity and location of lead-based paint hazards (including in paint, dust and soil).

**LIRA Consultant** – The LIRA Consultant is the certified inspector and risk assessor contracted by the County to perform the LIRA.

## WHO IS ELIGIBLE

The Program is open to all residents of Delaware County, homeowners and renters, as well as landlords with properties located within the County. All applicants must meet the following eligibility requirements:

- ❖ Home or property must have been built prior to 1978
- ❖ Household must have children under 6 living in the property (or a child that spends more than 6 hours per week/60 hours per year, or are expecting a child)
- ❖ Provide proof of ownership
- ❖ Provide proof of homeowner's insurance, and, when applicable, flood insurance
- ❖ Provide proof of a Rental License or Certificate of Occupancy (only applicable for landlords)
- ❖ Be current on all Real Estate, School and Municipal taxes (or provide proof of a payment plan)
- ❖ Household income must meet low- to moderate-income qualifications as established by HUD. For landlords, renter household income must meet income qualifications.

<u>Household Size</u>	<u>Annual Household Income (effective 6/15/2022)</u>
1 Person	\$59,050
2 Persons	\$67,450
3 Persons	\$75,900
4 Persons	\$84,300
5 Persons	\$91,050
6 Persons	\$97,800

\*Please note income limits are subject to change each year and will be checked again at time of application.

### Homeowners

If the property is occupied by a homeowner:

- ❖ The home must be the homeowner's primary residence
- ❖ The homeowner must own no other property
- ❖ The home cannot be used in any part as a rental.
- ❖ Following the completion of lead reduction, the homeowner will agree to live in the home as their primary residence and not rent for a period of three years.

### Landlords

Landlords with multiple property addresses or buildings with multiple units are eligible to have all properties/units remediated under the program provided that:

- ❖ At least half (50%) of the units are occupied by families at or below the 50% median income level. The remaining units must be occupied or made available to families with incomes at or below 80%.
- ❖ Buildings with 5 or more units may have 20% of the units occupied with families with incomes below 80%. The remaining units must meet requirements above.
- ❖ Vacant units are eligible provided that the owner agrees to give priority to low-income families with children under age 6 for three (3) years following completion of the work.

In all cases, tenants must agree to voluntarily participate in the program, provide consent and submit required income and lead testing documentation. If desired, this personal information may be submitted directly to OHCD by the tenant.

### **Renters**

Renters are eligible to apply but must have consent from their landlord to participate. Landlords will act as the primary applicant and must agree to participate and provide required eligibility documentation requested above.

## **WHAT WORK CAN BE DONE AND WHO WILL DO IT?**

### **What Work Can Be Done?**

The purpose of the LHRP is to maximize the number of children under the age of 6 that are protected from lead poisoning by increasing the number of healthy homes in the County. Eligible work is limited to the identification and removal of lead-based paint hazards through testing and remediation activities. Remediation activities can include, but are not limited to, window and door replacement, vinyl wrapping, replacing trim and moldings, and scraping and sealing loose or deteriorated paint.

A certified LIRA Consultant and the Program Manager will inspect your home to determine lead risks and hazards and design a Lead Inspection and Risk Assessment (LIRA) and a Scope of Work. Work completed will be limited to what is identified in the LIRA Scope of Work. The LIRA inspection will include interior and exterior surfaces.

During the initial inspection, the Program Manager may also conduct a Housing Quality Standards (HQS) inspection to identify any code deficiencies or unsafe conditions. While these items cannot be addressed under the LHRP, the Program Manager may refer owners to additional programs and resources that can assist with these issues.

### **Who will select a contractor?**

Lead remediation work requires special certification and licensing, and thereby cannot be completed by just any contractor. The County and its contracted LIRA Consultant has a pre-approved list of certified lead abatement contractors qualified to perform this special work. These contractors will be invited to submit a proposal (bid) for your job. The Program Manager and LIRA Consultant will coordinate a Pre-Bid walk through at your home with interested Pre-Qualified Contractors. The contractors will then submit their

bids to the Program Manager for review of cost reasonableness. All eligible bids will be considered, and the contract award will go to the lowest, responsible bidder.

### **Is the work guaranteed?**

All work carries a one-year guarantee from the contractor. Work defects uncovered during the guarantee period must be addressed directly to the contractor. The guarantee will only apply to LHRP Scope of Work defects and cannot cover owner or resident damage or defect due to lack of maintenance. If the contractor does not respond, you may choose to take the matter to court. Please report any non-responsive contractor to OHCD.

## **WILL I NEED TO MOVE?**

Due to the potential health risks associated with lead remediation work, households may be required to temporarily relocate for up to 10 days. The LHRP will pay for costs related to temporary relocation as detailed below.

The need for relocation will be determined by the **Occupant Protection Plan** completed by the LIRA Consultant and Pre-Qualified Contractor. Regardless if relocation is required or not, residents shall never be permitted to enter work areas while work is under way. Re-entry is only permitted after the area has been cleaned and clearance or cleaning verification is achieved.

Relocation is generally recommended when lead abatement work will prevent safe access to bathrooms, sleeping areas, and kitchen facilities. Relocation is not required when (1) work is only in a small area (below HUD's recommended threshold); (2) work is only being done on the exterior; (3) work and clearance can be completed within one day (note: this is highly unlikely); (4) work area is limited and can be completed within 5 days; or (5) there is an exception for elderly or disabled residents whose relocation would cause critical difficulties.

Temporary lodging will be handled in one of three ways:

1. Residents can relocate to stay with family or friends while work and clearance are completed;
2. If renting, the landlord can provide alternative, safe accommodations during the work; or
3. If residents do not have family or friends to stay with, or the landlord cannot provide alternative suitable accommodations, the Program will cover the costs of a hotel as selected by the program.

The Program Manager will work with residents to develop a relocation plan if necessary. Costs associated with relocation that may be covered by the program include storage costs (the household is responsible for moving all personal items), transportation (if a valid hardship is present, this covers arrangements for children to get to and from school or for residents to get to and from work), and a per diem rate for meals determined by the U.S. General Services Administration Per Diem Rates. **The household will be responsible for any and all damages to hotel rooms, etc.**

Pets cannot be in the home during construction. It is the occupant's responsibility to make arrangements for boarding at a kennel or with family and friends. These costs will not be considered eligible to be paid by the Program.

## HOW DOES THE LOAN WORK?

All testing and remediation costs, including potential relocation costs as defined above, will be covered under the Program. Up to \$18,000 per home or unit in the form of a 0% interest forgivable loan is available to cover the costs of the lead remediation work. The amount of the loan will vary, depending upon the amount of work that needs to be completed as described in the LIRA. The LIRA scope of work will be determined by the program inspection to assess what work will need to be completed to ensure the home will be deemed lead safe. The loan will be secured by a mortgage on the property to be recorded with the County Recorder of Deeds and a promissory note signed by the homeowner or landlord.

Funds are repayable upon sale or ANY transfer of the property. If you refinance your home ONLY to obtain a lower interest rate, the mortgage may be subordinated with pre-approval from OHCD. If a homeowner refinances to receive cash back, the loan will default and must be repaid. Loans made for properties are forgiven after a homeowner retains ownership of the home for three (3) years from the date the mortgage was recorded.

Landlords will also need to agree to keep remediated properties affordable to low-income families with children for the life of the loan. Landlords will be responsible for completing an annual questionnaire to be submitted to the Project Manager.

It should be noted that funding does not go to the homeowner or to the landlord. The contractor will submit invoices directly to OHCD and the County will pay the contractor directly.

## HOW TO PREPARE FOR WORK ON YOUR HOME

Prior to the start of any work, you should:

- ❖ Remove draperies, curtains, pillows or throw rugs from the area
- ❖ Put your breakable and valuable items away so that they won't be in the way of the workers; minimize clutter!
- ❖ Remove items from crawl spaces and attics if these are work areas
- ❖ Remove paintings or wall decoration from walls that may be subject to vibration, anything you do not want broken!
- ❖ Stay out of the construction area, **especially children**; this will prevent putting your health at risk, injuries and allow the workers to do their work
- ❖ Remove any everyday items needed from the construction areas (i.e. schoolwork, instruments, medical equipment, etc.). You will not be able to enter the construction area once work starts!

## WHAT ARE THE NECESSARY STEPS TO MOVE AHEAD?

If, after reading the Guide and Application thoroughly, you choose to move forward with participation in the Lead Hazard Reduction Program, the following process will be followed:

1. Complete the attached LHRP Application and return it along with required documentation. If we do not hear back from you within a designated timeframe, we will assume you are no longer interested in the Program and your position on the wait list will be forfeited. Upon receipt of a complete application, you will be advised of eligibility within two (2) weeks. Please refer to the included Application Checklist to ensure you are submitting all required documentation in order to move forward.
2. Eligible applicants will receive a detailed letter explaining Next Steps and will be contacted by the Program Manager to answer any questions about the Program and explain the requirements.
3. The LIRA Consultant will visit your home with the Program Manager and complete a Lead Inspection Risk Assessment (LIRA) and a Scope of Work will be prepared.
4. An Occupant Protection Plan will be developed to plan for your safety during work completion. If necessary, this will include plans for temporary relocation.
5. The Program Manager will coordinate with you to invite all Pre-Qualified Contractors to a Pre-Bid meeting at your home. Each interested contractor will submit a proposal (bid) to the Project Manager.
6. The Program Manager will review the cost proposals to ensure the costs are reasonable. The work will be awarded to the lowest responsible bidder, unless the Program Manager determines the lowest responsible bidder is not able to complete the job in a timely manner.
7. After a proposal is accepted, a Settlement will be held where you will sign a construction contract with the contractor(s) and a Mortgage and Promissory Note with Delaware County. Contractor(s) must produce any necessary municipal permits, list of subcontractors, waiver of mechanics liens, and proof of insurance, prior to start of construction.
8. If relocation is determined necessary by the Occupant Protection Plan, the LIRA Consultant and Program Manager will work with the household to develop a temporary relocation plan and make alternative accommodation arrangements. The household will be responsible for storing all personal items and relocating by the required date.
9. The contractor will begin work within 10 days of receiving the Notice to Proceed, weather permitting, and will have 10 days to complete all work to EPA, state and federal standards and the homeowner/landlord's satisfaction.

10. The Program Manager and/or LIRA Consultant may perform progress inspections while work is underway. The Program Manager and LIRA Consultant will conduct a final inspection and take samples to certify work is complete and the home is cleared of lead-based paint hazards.
11. After the final inspection, you will sign off indicating that the work is accepted. The contractor will then receive final payment and the guarantee period begins.

## **OTHER THINGS YOU SHOULD KNOW**

You should be aware that living in a construction zone will be disruptive to your household. Workers will be coming in and out of your home and you may not be able to use certain rooms. A resident who is prepared for such inconveniences can minimize the upset to their household much more effectively than a resident who attempts to continue living as if this work is not going on in their home!

You have heard the expression that even the best made plans can come unraveled. No matter how well you and your contractor plan your construction project, chances are there may be a conflict along the way. Perhaps the weather may delay construction, or the materials supplier may have a delay in shipment. As long as you are aware that minor problems like delays and weather issues are a possibility, you will be better prepared if they occur. In addition, because you live in an older home, you should be prepared that other issues could arise due to the property's age and potential deterioration.

Stop problems before they start! If something isn't going the way you feel it should, or if you don't understand it, speak to the Program Manager and get an acceptable explanation or correction before the issue progresses too far. Keep a good relationship between your household and the Contractor.

Finally, please remember that houses need regular maintenance. Protect your home or property by performing proper maintenance and fixing little problems before they become big expenses.



