

St. Johns County

**Community Development Block Grant — Disaster
Recovery Lead-Safe Housing Policy**

March 4, 2020

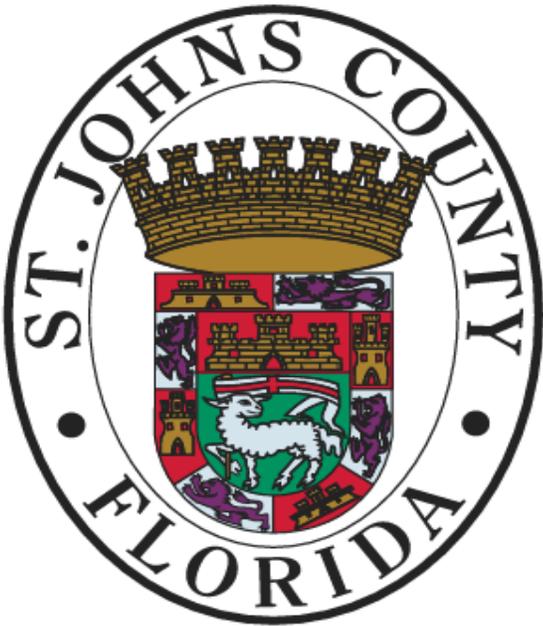


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PROGRAM OVERVIEW

The primary focus of the Housing Program is to assist eligible homeowners to repair, elevate, or reconstruct their homes. The Program also allows for the repair or replacement of damaged manufactured homes or mobile home units (MHUs). This program supplements other funds the owner has received for recovery. Federal regulations prohibit duplicative assistance. The Program completes a Verification of Benefits and a Duplication of Benefits (DOB) Analysis to ensure that Federal funds do not pay for costs paid by another source.

Awards will be determined based on the estimated construction cost of the scope of work based on a standard grade of building materials. Assistance will be provided under a variety of housing activities including: repair and elevation; reconstruction of properties, replacement of manufactured houses, new construction, temporary relocation of homeowners, and interim mortgage payment assistance.

CDBG-DR funds are intended to principally benefit LMI persons. Funds are allocated to programs in a manner that ensures that at least 70 percent of the grant amount awarded is expended for activities that benefit such persons. Funds will be used to address remaining unmet housing needs and to support the long-term recovery and restoration of housing in the most impacted and distressed areas.

The primary objective of this Program is to address the unmet housing recovery needs of LMI households. LMI households are defined as households having an income at or below 80% of HUD's Area Median Income, adjusted for family size and updated on an annual basis, for St Johns County.

VERSION HISTORY

St. Johns County CDBG-DR General Policies and Procedures

Version	Date	Page	Description
#1			
#2			
#3			

VERSION POLICY

Version history is tracked in the table above, with notes regarding version changes. The date of each publication is also tracked in this table. The first version of this document is 1.0.

Substantive changes within this document that reflect a policy change will result in the issuance of a new version 2.0, an increase in the primary version number. Future policy changes will result in additional revision and issuance of a new primary version number.

Non-substantive changes within this document that do not affect the interpretation or applicability of the policy (such as minor editing or clarification of existing policy) will be included in minor version updates denoted by a sequential number increase after the primary version number. Such changes would result in a version number such as 2.1, 2.2, etc.

POLICY CHANGE CONTROL

Policy review and changes for the St Johns County Housing Recovery Program are considered through a change control process. When policy clarifications, additions, or deletions are needed to more precisely define the rules by which the Program will operate, Program staff will discuss potential changes with Program and Policy Review Committee (“Review Committee”) for their review and consideration. Their consideration will include a determination as to whether the action is a policy or process issue. Actions identified as policy issues will require review and determination by the Review Committee. The issue will be discussed by the committee members at an internal committee meeting.

The Review Committee will take a decision to approve the change, deny the change, or defer action on the request. If the change is approved, the Review Committee will communicate its decision to the Program Manager. The Program Manager disseminates the new policy in a communication via e-mail to all Program staff and instructs the Compliance Specialist to reflect the change in the next revision to written policies and procedures. If the Review Committee decides to deny a change, no further action is taken. If a change is deferred, the Review Committee will request additional supporting information as necessary and place the item on the agenda for consideration at the next meeting

The Review Committee meets bi-weekly, as needed, to consider all pending requests but may meet as frequently as necessary to consider critical policy decisions. The Review Committee will consist of the Housing Program Supervisor, CDBG-DR Grant Administrator (who will be the Vice Chair), and the CDBG-DR Project Specialist. The Review Committee will provide

recommendations to the Chair (Disaster Recovery Director) for final approval. The Review Committee has authority to review and approve policy changes, render decisions on individual case appeals, and review waiver requests to the existing program cap to be submitted to DEO for review and consideration.

LEAD HAZARD HOUSING STANDARDS

HUD's Lead-Safe Housing Rule (LSHR), is being applied to St Johns County for all housing considered for rehabilitation and reconstruction measures. During the environmental review, St Johns County will determine the proper level of Lead-Based Paint (LBP) evaluation and any required LBP hazard reduction requirements. This determination will be made following the regulatory requirements found in 24 CFR Part 35. Information concerning the requirements, whether lead-safe work practices in conjunction with paint stabilization, interim controls, or abatement, will be provided in the rehabilitation scope of work for each home. Documentation of the findings of the LBP risk assessment will also be provided to construction contractors.

LEAD BASED PAINT PAMPHLET

Program provides the EPA pamphlet entitled "Protect Your Family from Lead in Your Home" that can be provided in English, Spanish, or other languages as necessary at the time of application. Applicant acknowledges that they have been provided access to the pamphlet.

DETERMINATION OF DATE OF CONSTRUCTION

Prior to contract with the homeowner, the County will make every attempt to confirm subject property date of construction. Properties with date of construction after January 1, 1978, are exempt in accordance with 24 CFR Part 35. Documentation of identified sources used to determine age of structure will be maintained with the project file.

CALCULATING THE LEVEL OF ASSISTANCE

The lead hazard evaluation and reduction activities required for housing projects depend on the level of assistance needed for each individual project. This level of assistance is determined by the damage assessment and the scope of work for the project. The inspection will result in an estimated cost to repair (ECR) that will be used as the per unit hard cost. Hard cost does not include the cost of lead hazard evaluation and reduction cost. Lead hazard evaluation and reduction costs include costs associated with the site preparation, occupant protection, relocation, interim controls, abatement, clearance, and waste handling attributable to Lead-based paint hazard reduction.

EVALUATION REQUIREMENTS

Projects where the level of assistance is less than or equal to \$5,000 per unit must meet the following requirements:

- Lead Hazard Evaluation. Paint testing must be conducted to identify lead-based paint on painted surfaces that will be disturbed or replaced.
- Lead Hazard Reduction. County must repair all paint that will be disturbed during rehabilitation, unless such paint is found not to be lead-based paint.

- If lead-based paint is detected or presumed, safe work practices must be used during rehabilitation.
- Clearance is required by a certified clearance examiner.
- Notices must be provided to owners and tenants:
 - The Lead Hazard Information pamphlet
 - The Notice of Evaluation (if paint testing is performed)
 - The Notice of Lead Hazard Reduction

Projects where the level of assistance is between \$5,000 and \$25,000 per unit must meet the following requirements.

- The goal is to “identify and address lead hazards.” A risk assessment is required to identify lead hazards and identified hazards must be addressed by interim controls.
- Lead Hazard Evaluation. A risk assessment must be conducted by a qualified professional prior to rehabilitation to find lead-based paint hazards in assisted units, in common areas that service those units, and on exterior surfaces. The risk assessment must include paint testing of any surfaces to be disturbed by the rehabilitation.
- Lead Hazard Reduction. If the risk assessment identifies lead-based paint hazards interim controls must be implemented to address lead-based paint hazards.
 - Interim controls must be performed by qualified professionals using safe work practices.
 - Clearance, conducted by a qualified clearance examiner, is required when lead hazard reduction activities are complete.
- Notices must be provided to owners and tenants:
 - The Lead Hazard Information pamphlet;
 - The Notice of Evaluation (if a risk assessment is performed) or Notice of Presumption (if a risk assessment is not performed); and
 - The Notice of Lead Hazard Reduction.

Projects where the level of assistance is over \$25,000 per unit must meet the following requirements.

- The goal is to “identify and eliminate lead hazards.” A risk assessment is required to identify hazards and any identified hazards must be abated by a certified abatement professional.
- Lead Hazard Evaluation. A risk assessment must be conducted prior to assistance to find lead-based paint hazards in assisted units, in common areas that service those units, and on exterior surfaces. The risk assessment must include paint testing of any surfaces to be disturbed by the scope of work.
- Lead Hazard Reduction. To address hazards identified:
 - Abatement must be conducted to reduce all identified lead-based paint hazards except those described below. Abatement must be conducted by a certified abatement contractor.
 - If lead-based paint hazards are detected during the risk assessment on the exterior surfaces that are not to be disturbed by rehabilitation, interim controls may be completed instead of abatement to reduce these hazards.
 - Clearance is required when lead hazard reduction activities are complete.

CONTRACTOR RESPONSIBILITY FOR COMPLIANCE

All firms performing, offering, or claiming to perform renovations for compensation in pre-January 1, 1978 properties must comply with the Environmental Protection Agency's (EPA's) Renovation, Repair and Painting (RRP) Rule and EPA's Lead Pre-Renovation Education Rule. This means that all general contractors performing rehabilitation to properties that are pre-1978 housing must be an EPA-certified firm.

All lead-based paint hazard abatement work will comply with HUD and EPA regulations. The contractor will be responsible for procuring an EPA certified lead abatement firm to conduct the abatement. The EPA-certified renovation firm, utilizing a certified renovator and other properly trained workers, is responsible for following all applicable rules and regulations. Contractor will be responsible for the distribution of the "The Lead-Safe Certified Guide to Renovate Right" pamphlet.

Contractors working on LBP projects must post signs clearly defining the work area and warning occupants and other persons not involved in the renovation activities to remain outside of the work area. The signs must be posted before beginning the renovation and must remain in place and be readable until the renovation is completed. Before beginning the renovation, the contractor must isolate the work area so that no dust or debris leaves the work area while the renovation is being performed. The contractor must maintain the integrity of the containment by ensuring that any plastic or other impermeable materials are not torn or displaced. The contractor must also ensure that the containment is installed in such a manner that it does not interfere with occupant and worker egress in an emergency.

INTERIM CONTROLS

If interim controls must be applied to a rehabilitation or reconstruction project, as determined by St Johns County, the RRP Rule requires a firm performing renovation in target housing to be certified as a lead-safe renovation firm, and an individual certified as a lead-safe renovator to provide on-the-job training for workers used on the project, perform or direct workers to follow the RRP Rule's work practice standards, be at the job or available when work is being done, and perform the post-renovation cleaning verification.

ABATEMENT

If lead abatement is required, as determined by St Johns County, the contractor is responsible for procuring a state-certified Lead Firm to conduct the abatement work using an EPA-certified Lead Abatement Supervisor and EPA-certified Lead Abatement Workers. St Johns County's determination will be made in compliance with HUD's LSHR, based on the cost of renovation. Only those persons who are working on abatement job sites who are engaged in activities described as inspections, lead-hazard screens, risk assessments or abatements would require state certification in the appropriate discipline.

CONSTRUCTION INSPECTIONS

Estimated Scope of Repairs may change after the initial construction inspection based on changing environmental situations, re-assessment of damages and additional work that may

be necessary when construction begins. This includes exacerbated roof and/or water damage identified after the initial construction inspection.

CLEARANCE

All rehabilitation projects are funded with federal assistance. Therefore, clearance examination is required for all identified target housing structures that have not been determined to be free of lead-based paint (24 CFR 35.1340). At the conclusion of all rehabilitation activities, including (if required) lead-based paint hazard abatement, the County will request a clearance examination from the Contractor. The Contractor will be responsible for conducting and obtaining an independent clearance examination and performing it in accordance with 24 CFR 35.1340.

NOTICE OF HAZARD REDUCTION

County is to provide a notice to occupants not more than 15 calendar days after the hazard reduction activities (including paint stabilization) have been completed. Provision of a notice of hazard reduction is not required if a clearance examination is not required.