

Lead Safe Housing Rule Webinar Series

**Lead-Based Paint Poisoning Prevention In Certain Residential
Structures**

Wednesday, February 3, 2021

Les Warner: Welcome, everybody. So we'll do introductions in just a moment. But this is our first session of a four-part series on lead-based paint regulations. And this is for Subpart J and Subpart K. So the full title is "Lead-Based Paint Poisoning Prevention In Certain Residential Structures." We're mostly going to be simply talking about Subparts J and K and not giving the full title as we move forward.

Subpart J covers when we're doing any kind of rehabilitation and we'll talk about, you know, sometimes we're going to fall under one versus the other, and that's part of what will define in this training. And then Subpart K applies when we are doing acquisition, leasing, some kind of supportive services or operations that our funding is being used to support.

All right. So let's start with a couple of other housekeeping things I wanted to mention. So you should have received a link already, which would give you a link to the materials. So there are a number of handouts that I think will be useful for folks who I would suggest that you go ahead and print those out if you haven't already. They may be good reference sheets for you as we're going through some of this. And I would guess that over the next four sessions, from time to time, we may be referencing and suggest that you pulled those out and we look at them together.

Also included in that packet were exercises. We're going to be talking in a minute about the officer hour sessions are going to be held the day following each of these webinars. And so there are some exercises that we asked you to do in preparation for that office hour session and essentially those exercises kind of test you're trying to apply some of the information that we covered during that session.

And as was mentioned before, Paul was explaining about entering information into the Q&A box on subject matter sorts of things. And in the chat box, I've asked Nicole to put it into the chat box, that link for the material. So if you're one of those folks that saying, wait a minute, I don't think I got that link, it's in the chat box. You also could go to the HUD Exchange for this training, and those links are currently posted there also, so there's a couple of ways to be able to access that.

Let's start with some quick introductions. Kris, you want to introduce yourself?

Kris Richmond: Sure, I'd be happy to. Hi, everybody, I'm Kris Richmond and I have been with ICF over 20 years now and I've been working with Les on a lot of different trainings. I also work with the HOME program. Les and I are so excited to do this training. There has not been a nationwide lead training on J and K in many, many years, so we're very excited to be here with you today. Thank you.

Les, you might be on mute.

Les Warner: This sounds better now. For those of you that can read lips, you've already heard this, but for those who haven't, so I've been with ICF for 14 years, work on a whole number of CPD funding sources. But prior to joining ICF, I worked at the state level for 20 years. So I was on the front end of this in the '90s when we got the original final rule and we're trying to figure

out how do we get contractors certified and trained, how do we keep them from running away when they heard here about lead regulation.

So a lot has changed. And as Kris said, I think there's a real need for folks, either as a refresher or for having access to this training. So we're really excited to have that opportunity, because we have a very large group of folks potentially on this webinar series. We also have Bruce Haber and Karen Griego from the Office of Lead Hazard Control Healthy Homes, and they're going to be helping us in answering questions. And so those questions are answered, you're putting into the Q&A box, they're going to be helping on.

And keep in mind, depending on the number of questions that we actually are fielding today, because we have the office hour session tomorrow, questions -- if we aren't able to get to all of them or we really need a little more time than what can be typed into a little Q&A box, we will be revisiting those in the following days moving forward.

Let's talk a little bit about this series and what we're going to be covering in this and then try to help you understand how we're moving around a little bit here, kind of how the schedule plays out so we are able to plan on this.

So the goals for this training. We really want to have everyone understand why is lead paint such an important thing? What's the significance of folks that end up with an elevated blood lead level? I mean, that's really the crux of why these regulations are in place, are trying to protect folks from the impact of lead poisoning. And as part of that, and we're going to be going through the federal lead-based paint regulations and thinking about how does that how do I implement this? How does this impact how I'm going to set up and run a local program?

As we mentioned, we're going to be looking at Subpart J and Subpart K, rehabilitation and our acquisition/leasing assistance. So we're going to be going through how do I know for the project that I'm doing, which one of these regulations applies? And so, I mean, obviously very important to understand -- does my project trigger these requirements? And if so, which of the subparts applies so we know that we've got the right regulations in place. We know what all the steps are, the documentation that's needed.

So as part of that, we're going to be talking about those key implementation steps, the kind of documentation that's going to be required; how we're going to evaluate lead; the testing that's being done; the mitigation hazard control that's going to be completed to address those lead hazards that we're identifying as part of our testing. And then we're going to be talking about the notification that we're going to be doing, not only for current occupants of that unit, but then over time, as we have folks who purchase a unit, who rent a unit, we want to make sure that they understand what is known about those units. And also the hazards, how to protect themselves and their family as we go along will be trying to make sure that we help you with all the key terms and defining those to have a good working understanding of those.

And as part of this, we're also going to be pointing out where those available resources are, how to find them, how to access them, so that going forward, that kind of keeps you current on where those things are that you may need.

So as I mentioned this is a four-webinar series. We're going to be doing this in weekly installments. Our sessions will go up to two hours. Our first session today might be a little bit shorter, but we have a couple of hours of the floor that I think will need every little bit of that two-hour period.

As I also mentioned, we have on the following day, we're going to be doing our sessions on Wednesdays and then on Thursdays there will be an office hour session that will not only cover the exercises that we mentioned, but that will also give us additional time to be able to go through questions that we haven't had time to get to or that we really need a little bit more time. And we oftentimes see from the questions that are coming in that the question you have is also something that others are wondering about, and it makes sense to spend a little more time and revisit those. So I really encourage folks to not only attend the appropriate webinar sessions, but also make sure that you participate in those office hour sessions. I think that will be very helpful for you.

So session one, which is what is today, is mandatory for everybody. So as we talk about depending on what you're doing, some of these webinar sessions will apply, others will not. Session one is going to apply to everyone, and we're talking through the basics of the overall regulations themselves. And then depending on the types of activities that you are either currently overseeing or want to make sure that you're prepared for, if you should be implementing that kind of a program in the future, will determine for the rest of these webinars which you will attend.

And so some folks will be attending know session one and and for some will be doing one, two and three only other folks. And I guess I would encourage you to consider attending all four so they have a working knowledge of both of these subparts as part of that. So we're going to show you an agenda in just a moment. But so depending on the kinds of activities that you're implementing will determine how many of these you're going to attend.

Now, we know that sometimes folks have scheduling issues, so all of these sessions are going to be recorded. Once we have completed a webinar, usually the following day or so, you will receive an email that will have a link to where those recorded sessions are posted. So if you find that for some reason or another, you are unavailable for one of the sessions that you planned on attending, there will be an option for a recorded version of that. And that also, you know, if you want to go back and revisit something from that session that will also give you that option to be able to do that.

So here's our sort of visual of our sessions and the topics that are being covered. So today in session one, we're going to be going through the Lead Safe Housing Rule basics and we're going to be talking about the different Subparts and how those specifically apply. And then, as I mentioned, depending on the kind of activities that you are operating, that subsection two and section three are related to Subpart J, which is our rehabilitation activity.

So in session two, we're going to be talking about some of the planning and program policies and process that need to be in place. And then in session three, we'll take that a bit further and talk a

bit more about the implementation process while you have construction going on and clearance at the end of that activity. And then our last session, session four, will be going over Subpart K, which, as we mentioned, is for acquisition, leasing, supportive services and operation programs.

So that's our plan. Each of you will need to think about which of these. Am I going to attend? Hopefully a lot of you will say, let's go ahead and attend all four so that you kind of have a good working knowledge for each of those.

So what we want to do at this point is open up a portal and we want to get a little bit of information about the folks that are participating today. If we were in a room together, we would probably go around and have folks introduce yourselves and tell us a little bit about your background and experience. So this is our next best thing. So what we'd like you to do is we've just opening up the poll question. We would like you to then indicate whether you're new at dealing with the lead regulations; whether you have some experience; or you've had a lot of experience with the key steps on the lead-based paint compliance process. If you can go ahead and indicate and submit your answer to those pollings, we'll be able to get a cumulative on that.

All right. That was nice and fast. So we've got into kind of a nice mix. Looks like a little good. A lot of folks that are relatively new, quite a few folks in that sort of mid-level. And then we've got some folks that have probably been around a long time, like like me, I guess.

All right. So our next polling question then, we're trying to we want to have a feel for the kinds of activities that are operating. So if you can go ahead and indicate whether it's rehabilitation, that could be both homeowner or rental, home buyer acquisition, leasing and support services or many of you probably are doing multiples. So you would indicate for two or more of those program types.

All right. So we've got our results in. So a lot of you are -- you've got multiple activities that would be potentially triggering these requirements; a lot of folks doing rehabilitation. So good mix. We're going to be covering all of these areas. So that's perfect.

All right. Let's let it switch back so I have control. All right. There we go. Now I can move the slides.

So just to reiterate, and this kind of goes back to what kind of activities are you operating. A lot of you, it looks like, probably should be attending not only session one, but also two through four because of the kind of activities that you're operating. Some of you may only need to attend session one and four if you're simply doing acquisition and leasing those sorts of things. Keep in mind that you should attend all sessions. If the projects include acquisition and rehab, that is over \$5000. And we'll talk more about the sort of details on that. For those of you that have multiple staff members, you may want to think strategically about, you know, who and my staff should be participating. Should they be in all of these? Should we have coverage across our program staff? So that may be something you need to think about internally.

So let's move right into the Lead Safe Housing Rules basics and kind of go through this. So now for those who might not be familiar, kind of wondering why is lead -- why is this such an

important issue? Why do we have these regulations in place? So lead is something that's a naturally occurring element, but we also have lead in our environment because of manufactured products. You know, sometimes when we think about naturally occurring, you know, we're thinking, gee, it's all natural ingredients. Well, you know, lead, arsenic, those are also natural elements. We don't want them. We don't want to ingest them or absorb them into our bodies. And so we have lead in a number of ways that we are having exposure to that we have we're going to be focusing on lead-based paint.

And so we are typically seeing that in our residential units and other units where we have exposure. But we also have these environmental exposures, which might be -- we're going to be talking about if we had bare exposed soil because we've had leaded fuel for many years; and based on the location, we may have quite a bit of lead that's actually been absorbed into those soils, and so we're going to be focusing mostly on paint remediation.

But there are going to be times when that's not the whole story on where that exposure may be coming from. So lead was banned in the U.S. in 1978 by the Consumer Product Safety Commission. So we're going to be talking about the age of structures and thinking about could it contain lead-based paint or was it actually a structure that was built after 1978?

So quick rule of thumb. If Elvis was alive when the building was built, it could have lead. Now, for those of you that think Elvis is still alive, you probably can't use that rule; we'll have to come up with something else.

So one of our key risk factors for children is the unit that they live in. And so where we have federal dollars involved in that unit, we're going to have an additional mandate to take appropriate steps to determine what the level of risk is for those occupants. And then we're going to, as part of the work that we do, take those appropriate steps to try to protect those occupants from the impact of that potential exposure.

So let's talk about who's at the highest risk on this. So children under the age of six, because they are rapidly developing; bones in their body are growing rapidly so they absorb more lead from the environment. And so also the impact from that lead exposure is going to have it's going to be more detrimental to children. So we're going to be talking in many cases about is there a child under the age of six that's going to occupy that unit? And if so, we're going to impose more requirements because we're trying to protect that child that's really at risk because of their age, and we want to make sure that they're not accidentally being exposed to that.

Also know that for pregnant women, their absorption of lead into their blood is also exposing that child, that unborn child that is developing, and so they are also a high risk component in this.

And we're also going to be talking about standards for the workers because workers who are working and construction or other fields who have a high level of exposure based on what they're doing on a daily basis, they themselves have a higher risk. But also we want to make sure that they are not essentially taking home that lead and then exposing their family, their environment to those additional risks. So we're going to be talking about protecting occupants, but we're also

talking about safe work practices and making sure that our workers understand how to protect themselves and their families on this.

So when we talk about children and exposure to let a lot of different ways that a child can become exposed, you think about small children, particularly prior to walking, they're crawling around. So they have a lot of exposure with lead dust, it's heavy metals; and so we have children that are playing in soil, crawling across floors. And then also we've got doors and impact surfaces that are generating some dust, and so they are coming directly into contact with that. And young children have a lot of hand-to-mouth motions that are happening, and so it's sort of a direct path to ingest the lead at that point.

We'll also be talking about where we have chewable surfaces. So we may have a sill for a window that a child's going to pull themselves up on and be chewing on. Any time we have peeling paint, those chips can be something that the child ingests. My understanding is that the lead is a little bit sweet and so that may also be kind of interesting for the child. So our trigger for this on what is considered the trigger level for lead in a child is five micrograms of lead per deciliter of blood. So we have sort of a threshold to consider a child to be lead poisoned or have an elevated blood level. But we really want to avoid having any exposure, if possible, for children.

And the impact on with the ingesting of the lead into the body is that it has an impact on muscle and bone, the nervous system, organs, anemia, and then also some of the mental, developmental, behavioral issues. So really important and can be long-term impacts that we want to try to avoid in this.

So the purpose of the Lead Safe Housing Rule is to try to protect children in assisted, targeted housing, and that's through primary prevention. So we talk about target housing. This is housing that was constructed prior to 1978, so constructed prior to lead paint being banned in the US. And we're going to be talking about there are some exceptions to that.

So this does not include housing for the elderly persons with disabled who are disabled or are going to be talking a little bit more specifically on that and how we define that. And then we're particularly looking at, as we mentioned, being concerned about children who are less than six years of age, either a current occupant or we have we're expecting that child to reside in housing.

And when we talk about defining expected to reside in such housing, it's not that we have somebody that's on a waiting list and we think it's likely that we're going to have a child under six in that unit. It's when we have a lease that has been signed and so that that child in that household is going to be moving in to that unit; or it could be that we have a resident who is known to be pregnant. And so we have an unborn child who is obviously under the age of six that we need to protect.

So that rule went into effect in 2000, and so we're 20 years into implementing the Lead Safe Housing rule. As Kris mentioned, we had a lot of training at the beginning of this year in preparation for implementing this and it's kind of time for another round of access to training.

Keep in mind that this is setting a minimum standard for lead safety. But you may have local rules that have been adopted. You might have program rules that you have chosen to adopt that would be more stringent on that. And so we're going to be talking to that, the Lead Safe Housing Rule is going to include require some level of evaluation.

And we'll be talking about, depending on the triggers, it may be at a higher level in some projects and not as stringent on others. And then based on that evaluation of the lead hazards that are identified, then we're going to have a level of hazard reduction that's going to be required, and we will spend a lot of time going through that in the rest of our sessions as we talk through Subpart J and Subparts K.

All right. So let's talk more about the exceptions that were mentioned on that slide. I kind of held off into going into these because we have better information here. So as I mentioned, if we have a property that was constructed after January 1st, 1978, that's after the use of lead-based paint had been banned. And so those properties can be exempted from these regulations. Also is an exemption for zero-bedroom units and SROs, which are single-room occupancy.

Now, keep in mind, this all goes away if we actually have a child under six who is residing in so the assumption with a zero-bedroom unit is that we would not have a child occupying that unit. But any in any of these exemptions, if we have a child under the age of six, then that exception is not valid and does not work in that case because we need to protect the child.

So we also have housing that is designated exclusively exclusively for the elderly or persons with disabilities. And that is not that you're running a rehabilitation program and the applicant is a household that is 68 years old. That's not a unit that is designated exclusively for the elderly; it just happens to be a unit that's currently occupied by a household that is elderly. So these are specific units that have been developed or funded exclusively for elderly or disabled occupancy. But again, if we have a child that's less than six years old that currently resides or is expected to reside, then it would not be exempt; it would need to follow those requirements.

We also may have properties that already have been found to be lead-free. So we would have a lead-based paint inspection or we may have -- and they were found to have no lead -- or where lead-based paint has been identified and has been removed and clearance has been obtained for that property.

Now, I will mention you'll see that removed is highlighted here. That doesn't mean that a property that was identified to have lead and we have done some kind of encapsulation or enclosure on that, that property is not lead-free; it simply has hazard controls in place. And so it would not be those examples would not be exempt because the lead has not actually been removed from that unit.

All right. In addition to that, if we had unoccupied units that were going to be demolished and we're going to make sure that those that unit remained unoccupied until the demolition occurs, that's not going to be part of the Lead Safe Housing Rule. It's not going to apply on that. Also, in cases where we have emergency actions to protect life, health and safety. Now, keep in mind that that exception is going to relate to that emergency action only.

So maybe we have a structure that needs to be stabilized. Maybe there was a fire. We're going to do some stabilization work, then we're going to come back in and do restoration or rehabilitation. The restoration and rehabilitation is going to fall under the Lead Safe Housing Rule. It's just that emergency action to stabilize the structure that is falling under this exemption. So don't try to take that and apply it for more than it's actually intended.

We're also going to be talking about under Subpart K in our fourth session that Subpart K does not apply if we're providing assistance, that is emergency rental assistance or foreclosure prevention assistance. That is 100 days or less. So for those of you who work in CDBG, we know that emergency assistance in CDBG is typically capped at 90 days or three months. So that would fall under this exemption. But we also have with CARES Act funding, CDBG-CV funding, that now those funds are able to extend up to six months of assistance, so that takes you past that 100 days. And so in those cases, you don't have that exemption for this. So that 100th day is the point at which that exemption expires -- really important to understand. I suspect there's going to be some additional guidance, particularly for the CDBG-CV program that will be coming out, which will help you to further understand that. So we also have some situations where there's sort of a limited or partial exemption on these requirements.

So if we have rehabilitation that does not disturb painted surfaces, maybe you have a program where you were going to be replacing the water heater or maybe you are replacing a roof. It may be that-based on what you're doing, you're actually not going to disturb any painted surfaces.

We also have a de minimis rule. So if our area is small enough, then we are not required to apply these rules if we are disturbing painted surfaces. And so for the HUD rule, it is two square feet per interior space.

And keep in mind, for those of you that are familiar with the EPA rule, these rules are more stringent. So the EPA rule on de minimis is actually six square feet. The HUD rule is two square feet, so much more restrictive. And we need to make sure that we're all aware of that; the contractor is aware of that. The HUD rule, it's also at 10 percent of the small component type. And then it's that 20 square feet for exterior work, which is the same as the EPA rule.

So just keep in mind that we have a difference between HUD and EPA requirements. And the HUD rule is more stringent. And there is, as part of your handout, I believe, a side-by-side comparison of the HUD rule versus the EPA RRP rule. And I believe that when we are in session two and session three, we're going to be talking more about that.

All right. So I'm going to turn things over to Kris, and Kris is going to take you through the rest of this.

Kris Richmond: Thanks. Let's just turn on my camera on. All right. Looks like things are up. Looks like I'm the presenter.

Thanks, everybody. That was really helpful information left for you to cover with us, especially the exemption. Those are going to come up a number of times while we're going through the different modules.

So, first off, I want to review a little bit of the different two federal regulations that we're going to discuss today in the next couple of weeks. The first is HUD's regulations. Those are found at 24 CFR Part 35. And then we have the EPA regulations which are found at 40 CFR Part 745. And CFR, if you're not familiar with that, CFR is the Code of Federal Regulations; and all of HUD's regulations are found at (Title) 24, and all of EPA's regulations are found at (Title) 40. That's why you have those numbers at the beginning.

First, we're going to start off with the HUD regulations and want to look at Subpart A. This is a lead disclosure rule. You'll see this yellow arrow here and it's actually an identical regulation to EPA Subpart F, the lead disclosure rules. So that's why we have these two arrows here. They are actually identical regulations.

And then the next one for the HUD regulations is Subpart B, the general Lead Safe Housing Rule requirements and definitions. We'll be going over different definitions as we go throughout the different modules. I do want to show you that we do have a definition handout. We have a couple of different pages on this definition handout. This is part of the handouts that were provided to you through the link. So as we go throughout the different session, we're referring back to the definitions. If you didn't get a chance to have those available or print them out on the paper person, you might want to do that for the next session. But then the different Subparts that we're going to be covering, as you heard Les say, we are going to be really focusing on J. J is for rehab; K is for acquisition, leasing, supportive services and operations. You might hear Les than I referred to that as "also" a shortcut that we might use for Subpart K.

You do see that there's also a couple other regulations or subparts of the regulation. There's Subpart H that's for public or for project-based assistance. So H covers project-based assistance, L covers public housing and M covers tenant-based assistance. We're not going to focus on those other Subparts during this series. We did do training on the elevated level amendment that covered H, L and M. We did that about a year and a half ago, and those trainings we were able to do a webinar; it's been recorded and posted on the HUD Exchange page and we have a link to that at the end of this module that you can go to later. If you are working with project-based assistance, public housing or tenant-based rental assistance, you can go back there and look at that. But as I mentioned, we're going to be focusing on J and K.

And then we have Subpart R, and this is the Lead Safe Housing Rule methods and standards. And so this is the what -- what needs to happen? What is the evaluation and hazard reduction? What needs to be carried out? That's what's covered in the Lead Safe Housing Rule methods and standards. And you'll see that this arrow kind of matches this one down here in EPA for Subparts D, L, and Q, lead-based paint activities rule. So the activities rule in EPA, this one right here, is telling us the who -- who needs to do the work that's identified up here in Subpart R? So who needs to do it? What kind of standards and qualifications need to be in place in order to do risk assessment, inspections, abatement, that type of thing.

So if you think of it as the HUD regulation Subpart R is what needs to be done and the EPA regulations at D, L, and Q is who needs to do it, what are the standards and qualifications for doing that type of work.

Then we have -- clear some of these here -- our last one is Subparts E and Q, this renovation, repair and painting rule. You might hear this referred to as our RRP, and the RRP rule was set in place to minimize exposure to dust and to help promote safe work practices. So all of these different regulations and Subparts layer upon each other in order for us to meet compliance with these requirements.

You'll also see down here that there was a new EPA rule that went into effect over a year ago now and this it lowered the dust standards for certain areas. It lowered the dust standards for carpet, for floors, interior windows. We're going to discuss more of that when we're into module two.

All right. So this slide is showing you the different sections of the regulations. Like I said, we are going to be talking about Subpart A right here, its disclosure. We're going to talk about disclosure in this module. We'll mention it a couple of times throughout the other series, but we will be focusing today on that. We'll be mentioning a couple of definitions here and there. We'll be doing general requirements and definitions. We're not going to cover anything else during the series. It's just listed there in case you need to go back and find the Subpart.

Our main focus is going to be on Subpart J, for rehabilitation. And you can see that rehab is in all of the federal programs, so that's really what we're going to be focusing on. And then we're also going to be focusing on Subpart K, acquisition, leaseings, support services and operations, and this falls within the Community Planning Development and the Public and Indian housing realm. There are the other subsections, like I said. L and M were trained about a year and a half ago; you can access that. Subpart R, we're going to mention here and there; those are the different standards of how to do the actual work for the inspections.

This slide, it's not an exhaustive list, but it does show the current HUD regulations that trigger Subpart J, so that trigger rehabilitation of the Lead Safe Housing Rule. So you'll see some of our favorites here. We have our Community Development Block Grant; we have the HOME program, Indian Community Development Block Grant Program; there's HOPA, Emergency Solutions Grant -- I saw a Q&A that came in asking, do I come to J or do I come to K? Well, it depends on what kind of activity you're doing. So if you're doing rehab under the Emergency Solutions Grant, then you need to come to J.

And then our next slide here, these are some of the federal programs; again, not an exhaustive list, but some of the other HUD programs that trigger Subpart K. Subpart K, acquisition, leasing, supportive services, and operations and programs. You'll see there's a bit of an overlap. A lot of these programs can do rehab and they also can do acquisition, leaseings, supportive services, and operations.

So it's really important for you to keep in mind what activity are you undertaking -- not only what is the funding source, but what activity are you undertaking to then determine which of

these requirements apply? So if you're doing rehab, then you're doing some work, if you're doing everything you want to be falling apart. So you want to think about what activity am I doing to then try to figure out which of the Subparts apply.

On a previous slide, we saw the different regulations. This is a little bit of overview about what each one is. So the HUD EPA lead disclosure rule, this is the one that is identical for HUD, Subpart A and EPA Subpart F. This is for both assisted and non-assisted housing. And this is done at sale or lease. And we'll talk a little bit more of a number of slides about what disclosure is, how do we document disclosure. But disclosure does apply. If you are doing any type of sales or if you are doing any type of these leasing, we need to make sure we're covering what we need to do to be in compliance with the disclosure rules.

Then we have the Lead Safe Housing Rule. This is applying to federally-assisted and federally-owned housing built before 1978. Like Les said, this has been in place for over 20 years now.

There was an amendment that was put into place about three years ago. The amendment was for elevated blood lead levels. That's what that EBLL stands for, and that applies to Subparts M, H, and L. So the EBLL does not apply to Subpart J and K, and we'll have a chart later that will show and it'll say, does apply EBLL apply, and the answer to that is no. But if you are working in public housing, project-based assistance or tenant-based rental assistance, you do want to know about this amendment, so check out those prior training sessions that we did.

And then this yellow box over here, this is the EPA renovation, repair and repainting rule, the RRP rule. This is with the EPA's Subparts E and Q. And this is when there's any renovation or repair and painting project done by a contractor that's disturbing paint in pre-'78 homes or child care facilities or preschools. So we'll get more into RRP in module two; I think it comes up again in module three. But we'll make sure that that's covered so you understand with all those are.

A couple key definitions I do want to make sure that you're aware -- I just want to make sure you're aware that we do have this definition handout and on the WebEx it's a little tricky. When I scroll down on the page, you also -- you can't see it. So there's a gray bar next to the document and in between the panel where you type in questions and you can scroll down that to see the different definitions. So if you need to find those, you can click on those at the top.

So our first definition is target housing. Trying to see where target housing is here, see if they have it on here. Yep, there it is. It's on the bottom of page two. So if you're on page two with me, you want to make sure you scroll down so you can see the bottom of the page two. So target housing is any housing that's built before 1978, with some exceptions.

Those exceptions are housing exclusively for the elderly, housing exclusively for the disabled or any zero-bedroom dwelling units, unless there's a child under the age of six that's residing in the unit or is expected to reside in the unit; and Les went over what some of those were a couple of minutes ago.

And then we have lead-based paint hazards. You'll hear us refer to this term quite a bit. Lead-based paint paint hazards or any condition that causes exposure to lead from deteriorated paint or

from any dust that's caused from a hazard or from soil or from friction impact or chewable surfaces. So friction surfaces; you're open and closing the windows or you're opening and closing the door, there's dust being generated by that friction; impact surfaces, walking across the floor, then causing dust. So any dust or hazards caused from those different areas that would result in an adverse human effect, that's what we're referring to as a lead-based paint hazard. And then lead-based paint is paint or other surface coatings that contain lead equal to or exceeding one milligram per square centimeter.

So that's what HUD refers to by these paints. You might work in a state or a city that has a more stringent definition of lead-based paint. That number might be lower than one. So it's important that you check with your state and local regulatory authority to determine whether they need stricter requirements or definitions.

All right. This slide is going to show you some general overview of the stuff, and we're just going to break it down into these different categories and we're going to go into the categories that at a really high level on this slide, but over the next three weeks that we spend together, we're going to go into great detail which each activity which applied and which of these categories you need to follow.

So the first one is disclosure. In "disclosure" you're disclosing any known lead-based paint or hazard and report. You're going to give the pamphlet -- that "Protect Your Family From Lead In Your Home" pamphlet. Again, this is done at sale or at lease time. And you also need to be disclosing if there's no knowledge -- if there's no knowledge or presence or the absence of lead. That also has to be disclosed as well.

Then the next category here, this green circle, is "look." And so you're looking or you're evaluating. That's the term we like to use and we're evaluating for lead-based paint or lead-based paint hazards. The different types of of looking might be a visual assessment. You might be required to do a risk assessment. You might be doing inspection. Again, it varies from activity to activity.

Then we have "treat." So once the hazard has been identified, it has to be reduced or treated, and there's different ways that those will be treated. Again, depends on the activity; it might depend on the level of federal assistance or the amount of assistance that's being provided or what the rehab amount is. So those different types of treatment -- could be a standard treatment, could be interim control; could be hazardous abatement. Again, we are going to pick all these apart, what they mean and when they apply. So we'll go into the weeds over the next couple of weeks about these.

The next one is clearance, so "clear." So after the work is done, the unit must pass clearance. It has to be done with a combination of visual inspection and dust sampling. And there are special special types of certifications that people need to be able to do clearance.

And then this last category here is "tell." So the owners and the residents have to be notified, so that's what I mean by telling. They have to be notified in writing when the lead hazards are found, and there also needs to be a separate notification of how the lead hazard or lead-based

paint was treated. There are certain requirements and there's certain timing for the notifications and we'll discuss what all that is in the next couple modules.

All right. So now we're going to talk about the approaches. So how do you use several approaches in structuring the requirements in the regulations? The first approach is approach one, do no harm. This really allows for low-cost repairs to proceed without costly lead requirements, but it does prevent creating additional lead hazards. So that's what approach one is, do no harm. And this is what we find in Subpart J. And let's see if I can do the left side correctly -- less than \$5,000 and we'll get into module two, what we mean by the dollar amount.

The next approach is approach two; this is identifying and stabilizing deteriorated paint. This is lead-based paint is stabilized but it does not prevent the reappearance of deteriorated paint. That's why ongoing maintenance is required. If there's an ongoing relationship, approach two is what we find in Subpart J.

All right. Approach three is we are identifying and controlling lead-based paint hazards. This is where we're providing assurances that lead-based paint hazards are eliminated, but there are ongoing maintenance requirements because interim controls are not considered permanent. And for approach three, we find approach three -- we find approach three in Subpart J, from \$5,000 to \$25,000.

And then for approach four, this is identify and abate lead-based paint hazards. This is used for a substantial investment. It's when there's a substantial investment in the property; it's when long-term hazard control methods are used, such as abatement. It's used to ensure that the unit remains lead-safe. And this is the one that you would follow for Subpart J for \$25,000.

So approach two would be fine for Subpart K and then approach one, three and four is for Subpart J.

Okay. This summary chart is a really high level chart of one of your handouts. But I'm going to pull up a handout here. If you went to the trainings that we did, if you're an old-timer like me, you went to the trainings back in 2000, 2001, you might have a green copy of this up on your wall. It probably also has Subpart M listed as part of those as well. So we took this chart; we're going to refer back to this chart throughout the training. but this slide here is a really high level of that chart. So we'll refer back and forth to those throughout the training. Just want to show you at a pretty high level this approach here.

This is what we talked about on my last slide. Do no harm, remember Subpart J under \$5,000 ; identifying, control lead hazards, this is approach three, \$5,000 to \$25,000; and approach four, identify and abate lead hazards; this is for more than \$25,000.

The notifications; this was when we were talking about telling, what we were trying to tell about what we found and how things were cleared and then we're looking; so our evaluation is the type of looking that we're doing. So are we doing paint testing? Are we doing paint testing and risk assessment? The treat is our lead hazard reduction. What kind of treatment are we doing? Are we just doing repair because we're only giving under \$5,000, or we in the middle category and we're

doing interim controls? Or do we have a substantial investment and we're doing abatement for the over \$25,000 range?

And then we have lead safe work practices here. You might be in a bunch of slides, LSP, that's what lead safe work practices stands for. So we do have to follow the lead safe work practices for all of these categories. And then you need to achieve clearance, so clearance is determining that the hazards are no longer a hazard, that it's passed clearance, and that notification is provided to the owners and the tenants.

Ongoing maintenance. So we only have ongoing and if there's an ongoing relationship; and with the audience that we have right now, that really only falls on home rental during that affordability period, you would have an ongoing relationship and then you would have ongoing maintenance requirements.

EBLL requirements, remember I told you that for elevated blood lead level. There are no easy requirements in Subpart J, so I don't need to worry about that.

There are some options, we'll talk about what these different options are as we get further into rehab. But if you do not want to do any testing, you could presume that there's lead-based paint. The work that you need to do is more -- there is more work that has to be done, because now, instead of knowing where the lead is, you're just presuming there's lead everywhere. But we'll talk about what these other options are when we get into these different modules.

And then the right side of the handout here is all Subpart K, and that's what this slide is here. So, again, the same thing. We have our approaches. This is approach number two, identifying, stabilizing deteriorated paint. We do have notifications that are required. The hazard evaluation is a visual assessment. So it's not as stringent as doing a risk assessment. Visual assessment needs to be done by a trained visual assessor. But anybody can get a visual assessment, training, certification. It's an online training course. It's free through HUD, takes about 30 to 45 minutes to go through that, so your owners could be visual assessors, your staff people could be visual assessors. They can get up to speed pretty quick, but being able to do that.

There's paint stabilization, that's what our treatment is. And then we have clearance. You'll see in acquisition, there is no ongoing maintenance for acquisitions, but if you're doing these things, support services and operations, then there is ongoing maintenance because there is an ongoing relationship in those activities. There's an ongoing relationship with leasing, supportive services, operations. So we do have ongoing maintenance requirements.

There are no EBLL requirements, no elevated blood lead levels of requirements for Subpart K as well as not for Subpart J. And then we also have these options. So when we are doing visual assessment, we don't actually know whether there's blood in that paint or not. We're just actually looking to see if there's deteriorated paint. But we could decide to test. We could take the option to test instead of doing a visual assessment, and there's other options that we could undertake as well.

All right. Let's do a knowledge check. This is going to be set up like we did the polls. So the polls should show up and you should be able to pick true or false. So our question here is a scenario. It's, "Mr. and Mrs. Jones live in the Franklin Farm neighborhood. It's a single family subdivision. The Joneses are in their mid-70s and they want to have their 1940s home rehabilitated through the city's HOME program." So let us know, what do you think? Do you think, "True or false, Mr. and Mrs. Jones are exempt from the lead-based paint rule because they are elderly?"

So, Paul, I don't see the poll coming up yet.

Paul: We should be able to have the poll up in just a minute. Sorry.

Kris Richmond: So this is going to go back to some of the information that Les talked about so you might want to think about what was Les covering to be able to answer this question.

There we go. All right. "Mr. and Mrs. Jones are exempt from the 2000 rule because they are elderly. True or false?" Now, you've had a little bit of time to think about it, so put your answer in. What do you think? All right, Paul, what do we come up with, what are people think? There we go. All right, well, thank you.

All right, well, the correct answer is false. So two-thirds of you got it right. Thank you. For those of you who didn't get it right, let me explain to you why you might have been a little confused.

So the Joneses live in a single family subdivision. They do not live in housing exclusively for the elderly. So if they lived in housing that was exclusively for the elderly, then their home would be exempt. But because they just live in a regular old subdivision and they just happen to be elderly, their home is -- the Lead Safe Housing Rule does apply to their home. So we do need to be following all of the, let's say, housing rules, requirements for this home, because it could be you know, they live in this home in 2021 and maybe three years from now they sell it and a family that has a four-year-old moved in.

And so we want to make sure that when we're using our federal funds, that we're rehabbing these homes to make them as safe as possible so that for future families that move in, the units are still safe for everybody. So the answer to this is false. It is a pre-'78 unit. It's not exclusively for the elderly and therefore the Lead Safe Housing Rule does apply.

All right. Great job, everybody; let's move on.

Okay. So I've mentioned a little bit about disclosure and disclosure falls under Subpart A. So disclosure applies when you're selling or renting -- selling or renting -- or maybe you might be calling that leasing -- a unit.

So the lead disclosure rule does not apply to rehab projects, but a property owner is required to disclose the knowledge of all of known lead-based paint when the owner sells or they rent the unit. So if you're rehabbing a property, then maybe it's a single family property, you don't have to disclose, but you do need to let that owner know when they sell the unit or if they rent the unit

they do need to disclose any of these reports that were found in the reports that they will have to any future renters or buyers.

So we are going to now provide you with a brief overview of disclosure requirements and how you can comply with Lead Safe Housing Rule. So you're probably seen this pamphlet before; this is "Protect Your Family From Lead In Your Home." This has been in place since 1996. Also as part of your handout there were provided to you is this lead disclosure handout, which does provide some pretty high-level steps on what to do and that also you can find the pamphlet in a number of different languages. So refer back to this pamphlet later on when you get a chance.

But the purpose is to provide information about lead-based paint and paint hazards. The owner discloses any known lead-based paint or lead-based paint hazard in the unit or any common areas servicing the unit. It also discloses if they have no knowledge of these lead records or reports as well.

So like we've been saying, this applies to all pre-'78 for sale and rental units. There are a couple exemptions and we'll talk about those on the next slide. The owner or the lessor will provide this pamphlet. It provides the warning statements. They disclose anything that's been known. It does need to be signed before the contract is signed. And if they're renewing a lease and the owner has new information, if there's new lead-based paint hazards or any lead-based paint has been found since the last time the prior lease signed, then a new disclosure would need to be put into place.

So, like I said, there are a couple of times when you might not need to do disclosure. This is found at 24 CFR 35.82. People always ask me what the reg requirements are. So it's 24 CFR because we're dealing with the HUD requirements -- 35.82 where you can find these disclosure exemptions.

So if you have a property that is going to be foreclosed upon, then you do not need to do disclosure. If you found a property that's lead-based paint-free and this was documented to be free of lead-based paint by a certified inspector and this inspector is certified under a federal certification program or a federally accredited state program or a tribal certification program, then it would be exempt from disclosure.

If you have a short-term lease -- and a short-term lease is a lease that 100 days or less -- where there is no lease renewal or lease extension -- so as long as there's no lease renewal or lease extension can occur; it's 100 days or less -- a short-term lease would also be exempt from the disclosure rule.

And then, like we said, any previously disclosed information. So rentals of existing leases, which they've already disclosed hazards or conditions and the conditions have not changed, then the disclosure would be exempt as well.

Okay. We and HUD have seen a lot of violations of the disclosure rule and a common violation is using the wrong form, or the wrong disclosure form. So the example that's on here, this watch out for lead-based paint poisoning, this is not the correct form. This is the wrong form. So check in your files. If you're using this form to alert your staff and your team that you need to start

using the right form. So the right form is the disclosure of information on lead-based paint and lead-based paint hazards. This can be found on HUD's website. It can be found on EPA's website. There is a form specifically for sale housing, and there's a different form exclusively for rental housing. You need to make sure you have the right form, and you get that from HUD's website or the EPA's website.

If you are working in Massachusetts, Rhode Island or D.C., there are certain elements, certain modified portions and elements of a form that have to be used. So please check with your state regulatory agency if you work in Massachusetts, Rhode Island or D.C. because you have different elements that need to be included in the disclosure forms.

There are also a number of elements that are subject to penalty violations on the form. There's up to 10 possible violations that could be found on the form and each violation is about \$18,000 per penalty. So if you multiply 18 times 10, you could have about a \$180,000 fine per unit. So you really want to make sure you're using the right form; that they're being filled out properly. This is being jointly enforced by HUD and EPA, and it's super-simple to get that correct form. You want to go to HUD's website or EPA's website.

So this is showing a couple areas where there's sometimes not filled out correctly. So you can see you're checking the lessor, it's checking whether they know if there's lead or not. If they're checking, number one, they know there's lead, then they have to say where that was found and attach in your report. If they don't know if there's any lead and they'll check that. If they don't know if there's any in the unit, it needs to be signed to be signed by the lessor, need to be signed by the lessee.

That's a very common violation, that it's not signed by the renter; often found that there's fraudulent signatures where the owner is signing for renter instead. We do need to make sure that these are being signed before the contract is being signed. And that's also another common violation, that's found that the timing is not correct; that these are being signed after the contract and the requirement that if these are signed before the contract.

It's also another common violation to find that reports are not being disclosed. So you want to make sure that any information that the lessor or owner has is actually being disclosed to the buyer or the lessee. Les, are we feeling okay or do you think we should take a little break?

Les Warner: I think based on the number of slides that you have left, I think probably you could go right through.

Kris Richmond: Okay. Happy to. All right. So let's move on to documentation. We're going to talk about some documentation here. But don't worry; as we go through each of the different modules, we will address documentation and all those other areas as well.

So this is an example of a sample form that you can use for your files. This is used to document or determine how Lead Safe Housing Rule applies to your project. So remember when Les was talking about all those different exemptions, so if you determine that your project is exempt from Lead Safe Housing Rule, you still need to document your file of why you didn't follow the

requirements. "Oh, it was built in 1980, so it's exempt." Okay, great, let me document that and put it in the file.

It's a zero-bedroom unit so it's exempt; let's document that in the file. So you want to have some type of documentation. This is just a sample of one that's provided. Les and I and Nicole, a couple of other staff members at ICF, we've been working on a toolkit. It's not quite ready yet. It'll be ready soon, but a lot of our forms are ready. And so we provided the link here for some of our forms that are ready for you for the toolkit. So here's just a sample. But this is just one way to help you start to document. And one of the key ways of meeting compliance is proper documentation. We've mentioned the EPA renovator repair and painting rule. That's what are RRP stands for.

There is a lot more documentation in the HUD rule than the EPA RRP rule. You need to make sure you're keeping copies of all the certifications. That's all the -- maybe you have a risk assessor or you have an abatement contractor. You need to have copies of all the certifications, any training that's being done, all the types of valuations, risk assessments, abatement report, clearance; all of those need to have copies in the files. Documents need to be kept for at least three years, as many of you are working in programs that have a longer retention period for recordkeeping. So you want to check -- like, I know the HOME program is five years, so you want to check with your program on what is that documentation period. But the HUD lead rule is for at least three years.

Now, in reality, you actually need to keep these for the life of the building, because we're always disclosing to our lessees and our next owners what, if any, lead hazards or what type of legwork or clearance work do we actually undertake. That all needs to be disclosed to future tenants and to future owners.

All right. So we have a lot of different resources; we're going to review just a couple of them. The first one is the Lead Safe Housing Rule compliance adviser. This is like almost like a TurboTax type of walk through for lead. It walks you through what type of activity you're undertaking; asks you a bunch of questions; and then it spits out what are the requirements that you need to follow. There's some sample forms on here as well. This is different than the tool kit and other resources available to you; has a glossary. We've put the link at the bottom of the slide in case you want to check that out.

This is the HUD guidelines; it's produced by HUD's Office of Lead Hazard Control and Healthy Homes. The 2012 version is the most current version. The cover of is this blue version. So if you haven't seen this before, it might be something you want to check out. This is where it goes through the technical steps of how to identify lead-based paint and related lead-based paint hazard, how to control the hazards safely and efficiently. So this is the current version. HUD is working on a new update of this, but right now, this is the most current version that's available; and there are often in EPA rules that refers back to these guidelines.

Lots and lots of different links that we've listed here for you to be able to access. The Office Of Lead Hazard Control And Healthy Home, that's HUD's office; this is their home page. We also have, if you need to look at the regulations where you can find those. The HUD exchange -- we

have a new HUD exchange landing page specifically for lead-based paint. And so this is where we're sending you for all those new forms that we're starting to update and create. There's also links to different Lead Safe Housing Rule training that's been done; mainly, in particular the ones that were done for elevated blood lead level.

The lead compliance adviser's link is there; the guideline controls, here's the link for that one. If you're working in any of the CDBG-DR -- disaster recovery, that's what DR stands for -- or the mitigation projects, there's information there as well.

And then when Les look going over at the very beginning, the harmful effects of lead on children, he talked about some of the harmful effects. There's a interesting, pretty short video, two or three minutes done by Science from PBS that really gets into the nitty-gritty of how this harms children and how this can harm adults. And it's pretty interesting because it talks about the different neurons in the brains and how lead causes blockage of that. And I'm a visual person, so it's actually really visual; helps you really understand that if you haven't quite figured out "I know it's bad, but I don't quite understand why it's bad." So that little short Science video is an interesting way, in short, to get really up to speed on that.

We are going to be answering questions here. But if you are ever in the future, find yourself in a situation where you just aren't sure what to do with these lead regulations or how to move forward with that, HUD's Office Of Lead Hazard Control And Healthy Homes does have an email set up that you can access them that way.

Okay. Let's talk a little bit. We mentioned some of these earlier, but just to renew again, we've just completed session one and the next session, which is next week, February 10th, is Subpart J, rehab planning. And then on February 17th, we're going to be doing the second phase of rehab planning. And then on February 24th, we're going to be doing Subpart K, acquisition leasing for operations. It is imperative that you do both of these if you're doing Subpart J.

So if for some reason during this week, next week you have a meeting, you're sick, you can't call in and listen, please listen to the video before you show up for session three, because there's a lot of things we go over in session two, like how do we calculate rehab assistance? How do we -- what is our RRP mean? So there's a lot of things that are put in place for session two that you need to know to understand what session three really means. So please make sure that if you miss next week that you listen to it or follow up with it before you come to session three

So what sessions should you attend? Like we said, if you're doing rehab, please come to both session two and three. If you're only doing acquisition, leasings for services and operations, you're welcome to miss the next two and come to session four. If you are completing acquisition and rehab over \$5,000 per unit, you need to come to sessions two and three. I want to show you why you have to do that. So remember, I talked about these approaches. We saw approach one, approach three, approach four, approach two.

So you'll say, well, Kris, I thought acquisition fell in Subpart K; why if I'm doing acquisition and rehab, do I need to come to sessions two and three? Well, it depends, right? So if you are doing acquisition rehab and it's less than \$5,000, you'll see here it says number one, do no harm, and it

says number two, identify, stabilize deteriorated paint. In Lead Safe Housing Rule and all federal regulations, you always need to do the more stringent requirement.

So if you're doing acquisition and rehab and it's under \$5,000, you need to follow Subpart K, because you see number two here is more than number one. But if you're doing acquisition rehab and it's more than \$5,000, then you'll see my approaches here are three or four; and three and four is higher than two. So acquisition and rehab, more than \$5,000; you got to come to the Subpart J sessions that we're doing.

If you have a question about that, please type that in the Q&A. I just want to make sure people come to the right session.

All right. I'm sure there's been a ton of questions that have come in. Les, is there any that you want to start to go over, or should I mention to people, folks, about the homework before we dove into the Q&A?

Les Warner: Why don't you mention about the homework and then I ask some general comments about our questions that are coming through, which I think are related to tomorrow's session.

Kris Richmond: Okay. So before I turn it back over to Les, thank you for staying with me for one or two more minutes. We do have office hours tomorrow, and so you should have received a link to attend office hours. It's at 1:00 Eastern Time and we're going to start the office hours off by going over the exercise.

So we're going to do exercise for session one. Does the Lead Safe Housing Rule apply? Pretty simple. You just look at the question, does it apply and you decide whether it applies or not. We'll go over it together and Les and I will go over those answers tomorrow. And then after we go over that to down, there's only 10 questions, so I can't imagine taking more than 20, 25 minutes. We'll have another half-hour to go over questions that you didn't get a chance to ask today about session one, as well as common questions that came up today that we think would be helpful for everybody to hear that we didn't get a chance to go over during the rest of our session today.

All right. So hopefully we'll see a lot of you tomorrow during our office hours to review the answers to the homework, as well as answer any new questions you have or review some common questions. So Les, should I turn it back over to you?

Les Warner: Sure. I think the key here is that we -- and we had a lot of questions that came in and Bruce and Karen did a bang-up job. I would guess that their fingers are sore and their minds might be hurting just a little bit at this point. So I would say the majority of the questions are going further into some of the details, which we're really going to cover in great depth in sessions two through four.

So I think for many of you, stay with us. Attend those sessions and we will cover all those details. And I think enough steps that it will answer more fully those questions. I think one of the

difficulties for folks is that you're trying to listen to Kris or I and look at slides and give you good information, but also try to keep an eye on that Q&A box, and I think that makes people a little concerned.

So for tomorrow session, we will do this throughout the series, is Kris and I will spend some time reviewing those questions, and we're going to be revisiting quite a number of those during our office hour session tomorrow. There's sort of only so much that you can absorb in one sitting with multiple things happening. But also the folks that are answering questions only have a certain number of key strokes that set for each one of those. So we will have spent some time before the office hours tomorrow going through those questions. A lot of these have some overlap. So I think the majority of the questions that came through today were related to that.

We did have a number of questions about types of activities that actually fall under other requirements. So there were some questions about tenant-based rental assistance and emergency payments under that. And the answer back on that was a tenant-based rental assistance -- and Kris, you had a chart that you were showing folks on the different subparts -- TBRA is one of those that is identified as that Subpart M. And so we did have earlier training that covers Subpart M in really good detail, and I believe those are posted.

And so I would encourage you, if you're doing tenant-based rental assistance, that's probably a webinar that you should pull up and you should go through that and look at Subpart M. So it is different than what we're going to be talking about under -- there we go -- under J and K. We also, prior to this series, have done for Subpart L, which is public housing programs. And so both of those there are trainings and materials, I believe, that are posted for that.

Let's see what else. And so a lot of questions about, well, how do we decide what level of testing that's required or what level of treatment that's required in the document, and what goes with that. We're going to really dove deeply into that in our two sessions, two and three, which are about rehabilitation. And so we'll go into a lot of detail on that and I would I think that will satisfy all of your requirements.

There was a question which I thought was a really interesting question about -- Kris talked about, and we had a poll question about elderly housing, and we mentioned that if we have housing that is designated or essentially restricted to the elderly, that that was one of our exemptions. And our polling question gave us an example of an elderly household living in just a single family house that didn't have those restrictions.

And we said, no, that's not what we're talking about when we're talking about this exemption. It's -- this is not about who the occupant is; it's about the housing and who it is restricted to be able to occupy. But we said as part of that, that exemption goes away, doesn't count if we have a child under the age of six that is occupying that unit.

So we had a question that came in saying, "Okay, so if we have an elderly unit and they are babysitting, do we count that?" So it's got a child under six that is in that unit, perhaps on a regular basis; could be on a daily basis. Do they still fall under that exemption or do we now say,

well, wait a minute, we've got a child less than six and so we're going to have to say that exemption doesn't count.

So the answer that came back on this, that if there are more than six hours per week for that child under six is going to be in that unit, then then we're going to say this is not exclusively elderly, and so we would not be applying that exemption.

This is an interesting question; quite a few questions about what a "small" component is. And so we had where we had language about the minimis rule. We also talked about small components. So we're defining what is exempt. And so our 10 percent of a small component type is when we're talking about maybe a like a window casing or baseboard or something, we're looking at that particular building component and then we're dealing with 10 percent of that type. But we'll go further into that in our next two sessions where we're going to be talking about rehabilitation. And so will we can revisit that tomorrow and then also during our next two sessions.

The only other question I'll mention here that I think is sort of outside of that, there was a question about we mentioned about Subpart K is where our emergency assistance is covered. And we talked about this 100-day rule and I mentioned about traditional CDBG assistance that might be for emergency rent or mortgage assistance is under that 100-day requirement by definition, and so that falls within that exemption, but that our CDBG-CV, which is our CARES Act funding, actually can now go to six months, and so that's where this 100th day trigger.

The question was, "Does that also include mortgage assistance?" Because I think we've been talking mostly about rental assistance. Yes, it would apply whether it is mortgage assistance or rental assistance, and our key here is this 100-day threshold. Our exemption on this under Subpart K only goes up to the 100-day mark. And so particularly for CDBG-CV funding, we're going to have projects that are going to fall under Subpart K and have some requirements on lead hazard risk reduction, essentially, on this. We will cover that in depth in our fourth installment of this, and I also believe there is additional guidance that's going to be coming out, particularly for CDBG-CV, which I think will help you on that.

Kris, I think out of the questions that we got today, that's probably what makes sense for here. I'm going to suggest we go ahead and let folks go for the day; remind them that we'd like them to do the exercise in preparation for tomorrow. We'll do some work on our end on preparing based on all the questions that came through to come up with some things that ought to be revisited.

But as you think about this and have additional questions, bring those with you tomorrow to our office hour session, and we will have more time to be able to address this.

Kris Richmond: All right. Thanks, everybody. We will see you tomorrow. Bye.

(END)