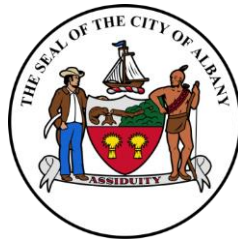


City of Albany
Albany Community Development Agency
200 Henry Johnson Blvd, 2 FL
Albany, NY 12210

**LEAD-BASED Paint Hazard Control
Program**



**Guidelines
(LEAD ONLY)**

Lead-Based Paint Program

Purpose of the Lead-Based Paint Hazard Program

The purpose of this program is to identify and control LEAD-based paint hazards in eligible rental and owner-occupied housing units. Specifically addressing units occupied by children under the age of 6 or in units where a child under the age of six spends a significant amount of time visiting, or if anyone in the household is currently pregnant.

Rental Unit Eligibility

1. For **rental property**, at least *50 percent of the units must be occupied by or made available to families with incomes at or below 50 percent of the area median income level.*

The remaining units shall be occupied or made available to families with incomes at or below 80 percent of the area median income level.

In all cases the landlord shall give priority in renting out units assisted with lead abatement activities for no less than 3 years following the completion of the Lead-Based Paint program, or to families with a child under the age of six. Except for buildings with five or more units may have 20 percent of the units occupied by families with incomes above 80 percent of area median income level.

2. For **owner occupants**, all units assisted with lead abatement under this section shall be the principal residence of *families with income at or below 80 percent of the area median income level* and no less than 90 percent of the units assisted with grants under this section shall be occupied by a child under the age of six years or shall be units where a child under the age of six years spends a significant amount of time visiting.

Applicant Income Eligibility – Owner occupied

Using: Home Owner Assistance Program (HOAP), Home Acquisition Program (HAP) or Tenant Assistance Rehabilitation Program (TARP)

All income and eligibility determinations for LEAD assistance will be conducted by ACDA. HUD income Guidelines for Annual Household Income under 80% median as of 6-28-19 is as follows:

<u>Household Size</u>	<u>Maximum Income</u>
1	\$50,350
2	\$57,550
3	\$64,750
4	\$71,900
5	\$77,700
6	\$83,450
7	\$89,200
8	\$94,950

Tenant Income Eligibility - Rental Property

HUD income Guidelines for Annual Household Income under **50%** median as of 6-28-19 is as follows:

<u>Household Size</u>	<u>Maximum Income</u>
1	\$31,500
2	\$36,000
3	\$40,500
4	\$44,950
5	\$48,550
6	\$52,150
7	\$55,750
8	\$59,350

Income Certification

Signed and dated *Monitoring and Certification Forms* will be required as follows:

1. All occupants of the building at time of application, including owner-occupant and tenants must complete a *Monitoring and Certification Agreement Form*. The application will not be complete without these forms. ACDA Finance staff will determine the income for these occupants.
2. It is the responsibility of the owner to get signed *Monitoring and Certification Forms* from initial occupants of vacant units after the project is 100% complete and forward them to ACDA Compliance Monitoring staff.
3. All new tenants at turnover of units: It is the responsibility of the owner to get a signed *Monitoring and Certification Form* from each new tenant selected and forward the forms to ACDA Compliance Monitoring staff.

Location of Property

The Lead-Based Paint Hazard Program shall be available citywide

Property Ownership

1. The applicant must be the property owner of record at the time of application.
2. ACDA will evaluate, on a case by case basis, the eligibility for LEAD in case of joint ownership, where one of the owners does not reside in the property.

Delinquency

No application for assistance will be accepted under the following conditions:

1. When the applicant is in default on any obligations to ACDA (Albany Community Development Agency).
2. When there are any unpaid property taxes, school taxes and water and sewer bills.
3. When the owner has filed bankruptcy, the bankruptcy must be discharged (proof of discharge is required) and credit worthiness must be re-established, as determined by ACDA.

Insurance

Fire and Hazard Insurance

The owner will be required to obtain and keep current, for the length of the mortgage, fire and hazard insurance to cover the total of all debt secured by the property. The Albany Community Development Agency must be named on the policy as one of the mortgages.

Flood Insurance

ACDA will determine if the project is located in a flood hazard area according to the most recent FEMA map. If the building is located in a flood hazard area, the owner must obtain flood insurance and keep the insurance coverage current for the life of the mortgage in accordance with the Flood Disaster Protection Act of 1973.

Application Fee – Lead Assistance only

All Lead Only Assistance applications shall be submitted with a \$50.00 non-refundable application fee.

ACDA Right to Reject Application

ACDA reserves the right to reject any application when in its judgment, abatement of the project is not economically feasible or not in the best interest of current tenant, the owner or the City.

Terms of Assistance

Amounts of LEAD Assistance will be in the form of a forgivable grant, repayable upon breach of the following conditions of assistance:

1. If owner occupied applicant, fails to occupy one of the units in the premises for a period of three (3) years from the date of the completion of all the required lead abatement, or
2. Rent to families with gross annual income at or below 50 percent of the area median income level.
3. If owner investor (landlord), fails to make 50 percent of the units available to families with incomes at or below 50 percent of the area median income level and the remaining units to families with income at or below 80 percent of the median income level.

Maximum Assistance

1. Maximum assistance will be provided on a per unit basis.
2. Amount of assistance will be \$20,000.00 per unit.

Combining LEAD with other Programs

1. LEAD can be combined with HOAP, HAP, and TARP programs.

Relocation

The Lead-Based Paint Program has safe temporary relocation sites available for use upon request. Tenants in units receiving lead abatement will have to relocate to a relocation site for a period of fourteen to twenty one days. A deposit of \$50.00 (certified bank check or money order) is required for the use of the relocation site. The deposit will be refunded if all terms are met at the completion of lead removal.

Fair Housing and Equal Employment Opportunity

Section 3” Clause

ACDA complies with the provisions of Section 3 of the HUD Act of 1968, as amended, and as implemented by the regulations set forth in 24 CFR 135, providing that training, employment and other economic opportunities generated by HUD financial assistance shall, to the greatest extent feasible, be directed toward low-income persons, and to business concerns, who provide economic opportunities to low- and very low-income persons. More information regarding compliance with Section 3 can be found in ACDA’s comprehensive Section 3 Plan.

Section 504

ACDA complies with all Federal regulations issued pursuant to compliance with Section 504 Rehabilitation Act of 1973 (29 USC 794), which prohibits discrimination against the individual with disabilities or handicaps in any Federally assisted program. More information regarding compliance with Section 504 can be found in ACDA’s comprehensive Section 504 Plan.