

# Transition Strategy to Implement HUD's Lead Safe Housing Regulation City of Cheyenne, Wyoming

## *Introduction*

### I. Transition Period:

As an entitlement community, the City of Cheyenne receives Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD) that provides emergency housing rehabilitation for our low to moderate-income homeowners. Additionally, the City receives HOME funding from the Wyoming Community Development Authority (WCDA) for single housing rehabilitation and down-payment assistance.

The City of Cheyenne is requesting approval of a six month "transition period" for implementation of the Lead Safe Housing Regulation effective September 15, 2000. This transition period would be effective from September 15, 2000, to March 15, 2001. The geographic area covered would be the corporate city limits of the City of Cheyenne. The basis for this transition period is the lack of capacity to comply with Lead Safe Housing Regulation. This request applies to housing activities funded by HOME and CDBG. The type of assistance includes single housing rehabilitation, down-payment assistance and emergency housing rehabilitation administered by the Cheyenne Housing and Community Development Office.

The lead-based paint functions that can be presently performed include the required notification of lead-based paint hazards and the visual inspection on rehabilitation and down-payment assistance units. The following table describes the City's current capacity to comply with the new Lead Safe Housing Regulation:

### II. Lead-Based Paint Compliance Capacity

Type of Assistance	Notification	Visual Inspection	Clearance	Interim Controls	Abatement
Rehabilitation	Yes	Yes	No	No	No
Down-Payment Asst	No	No	No	No	No

In the state of Wyoming, and specifically in the City of Cheyenne, there are no certified *Initial Inspectors, Clearance Inspectors, Supervisors or Workers* to address lead-based paint issues; nor HUD certified *testing laboratories* that meet HUD and EPA guidelines to test and subsequently "clear" projects for occupancy. Although the cities of Cheyenne

and Casper are working in a coordinated effort to address this issue, training and certification alone are not sufficient. There is a need to enhance the level of education and experience for all agencies who receive HUD funding. There is no current knowledge base within the state of Wyoming to work with all of EPA, OSHA, and HUD Lead Safe Housing requirements.

### III. Training:

The City of Cheyenne's Housing and Community Development Office is partnering with the City of Casper's Housing and Community Development Division, the Wyoming Community Development Authority, local housing authorities of the cities of Cheyenne and Casper, and the State Department of Health's Lead Reduction Office to sponsor a series of training workshops for Clearance Technicians, Risk Assessors, Supervisors and Abatement Workers to comply with the Lead Safe Housing Regulation.

Currently the partners are exploring training opportunities, dates and locations that will be mutually beneficial to meeting the needs of the partners, potential contractors, and homeowners to comply with the new Lead Safe Housing Regulation. Research on availability of trainers and costs to conduct training, is currently underway. Initial findings indicate that the University of Utah and the Environmental Training Institute, North Dakota, are equipped to provide the necessary training. Costs, which do not include participants expenses and/or trainer(s) travel expense, range from approximately \$40,000 - \$90,000 for three courses: Inspector/Risk Assessor, Supervisor and Worker. Tentatively, training has been scheduled for February 19-23, 2001, dependent on approval from HUD on funding for this purpose.

Financial assistance is requested from HUD to conduct training and associated expenses. Anticipated financial assistance will include hiring trainers, materials, site costs, travel and per diem for local contractors to participate. These agency partners will work closely with HUD to determine and contain costs and still meet the training requirements.

The greatest weakness the state of Wyoming and its Entitlement communities of Cheyenne and Casper is the lack of qualified, experienced trainers for Lead-Based Paint Inspectors, Risk Assessors, Certified Contractors for Rehabilitation and Clean-Up, Clearance Inspectors and Technicians and Project Designers.

With a landmass of 97,914 square miles, Wyoming is the ninth largest state and provide living space for 453,588 people. Wyoming's uniqueness is the distance between communities: several hours of driving time between major communities; therefore, it will be important to have trained risk assessors, inspectors, workers and contractors.

It is the intent of the partnering agencies to sponsor annual Lead-Based Paint training for inspectors, risk assessors and clearance technicians. These annual training sessions will ensure continuity in the capacity of the agencies to comply with the Lead Safe Housing Regulation, and will respond to staff turnover and expanding interest in these professions.

#### IV. Cooperation and Sharing of Information:

The partnering agencies will continue to coordinate efforts to develop training, workshops and resources which may be used throughout the state.

#### V. Maintain Documentation:

Records will be kept of the efforts and activities performed to achieve the goals of this plan.

#### VI. Schedule and Strategy:

The City of Cheyenne's efforts will address the need for trained and experienced technicians, risk assessors, lead-based paint inspectors, project designers, and contractors certified to perform interim controls and abatement of lead-based paint. At a minimum, we project a need for four clearance technicians, and four risk assessors and lead-based paint inspectors.

There is a critical need for certified contractors. Currently in Cheyenne, there are no contractors certified and experienced with HUD programs.

The City of Cheyenne intends to strengthen existing strong partnerships with the City of Casper, the Wyoming Community Development Authority, the State Department of Health, and our local housing authority (Cheyenne Housing Authority) to ensure that lead-based paint is addressed as a high priority and compliance is assured.

It is the belief of the City of Cheyenne that the partnering agencies will seek HUD funding in a joint effort. Through these cooperative efforts, greater opportunities will be provided to the state of Wyoming, Entitlement communities (Cheyenne and Casper), our rural areas, contractors, homeowners, and, especially the children within our state.

If the partnering agencies are not able to secure either the funding or expertise to satisfy the capacity needs, they will contact the Lead Assistance Clearing House established by HUD to assist areas of the country unable to comply with the regulations. The Clearinghouse will also be a benefit to enhance information on changes in technology, comparable cost, and the process of inspections, testing, and remediation of lead-based paint.

As a part of the request for funding to conduct the necessary training for the contractors, the City of Cheyenne intends to also ask for additional funding to help defray the costs to the contractors to attend the training. The anticipated costs incurred by contractors will be mileage and per diem to compensate for time off from their jobs. It is unknown at this time what that amount will be.

#### VII. Concerns and Issues:

### *Recorded cases . . .*

The City of Cheyenne and its Housing and Community Development Office support the need for safe homes for our children; however, the state of Wyoming has recorded only nine cases of elevated lead blood levels, of which two were located in Cheyenne, since 1994. Neither of the two cases were children. Therefore, Wyoming must question whether the needs of a few are really being met with this all-encompassing regulation?

### *Housing rehabilitation . . .*

Implementation of the Lead Safe Housing Regulations will be cost prohibitive to the City of Cheyenne's HAND (Emergency Housing Rehabilitation Program) and HOME (owner occupied housing rehabilitation program). If contractors are available to do the work, the additional costs to conduct in depth inspections, hire qualified contractors to abate surfaces, and clearance inspections will have to be passed onto the homeowners, the same low to moderate-income individuals we are trying to assist in bringing their houses up to Housing Quality Standards and City codes.

It is estimated that compliance will mean an additional one-third to one-half of the total project cost. The homeowners we assist usually have poor credit and are unable to obtain a traditional home improvement loan from a local lender.

At the time of this writing, the City of Cheyenne has 45 families on its HOME waiting list. The Cheyenne Housing and Community Development Office receives calls and applications weekly from persons wishing to be placed on the waiting list. Utilizing current funding sources, approximately 15 families may be assisted. The HAND program assists approximately 15-20 families, a year. Compliance with the lead-base paint regulations will mean fewer families will be assisted or, due to prohibitive costs, the potential elimination of the HOME and HAND programs.

The City of Cheyenne may have to re-evaluate its housing rehabilitation programs to decide whether it would be feasible to continue assisting low to moderate-income families. By discontinuing the City's housing rehabilitation programs, low-income homeowners will be forced to live in homes that do not meet City code or minimum housing quality standards. A potential result will be that families may have to deal with no furnaces, or failing heating systems, leaking roofs, inadequate plumbing and unsafe electrical service. The City of Cheyenne may ask HUD which is of greater importance, the need to provide decent, safe and sanitary housing for our low-income families, or the need to comply with lead-base paint regulations?

### *Down-payment assistance . . .*

Down-payment assistance is provided to our low to moderate-income individuals. This assistance has been well received within the community and is often the only financial assistance that provides our low to moderate-income individuals with the opportunity to become first-time homeowners. Costs associated with compliance for the Lead Safe

Housing Regulation will be passed onto the potential homeowner(s). This additional cost may very well make the difference on whether a low-income family is able to purchase a home.

#### *Relocation . . .*

As houses are abated and clearance inspections performed, where will the homeowners reside, and who is responsible for their cost-of-living during the relocation time frame? Although the ultimate responsibility lies with the City of Cheyenne, recapture of expended dollars will need to be incorporated into the project costs. Project costs will be passed along to the homeowner through a lien against the property. This, again, will place an additional burden on our low to moderate-income families.

#### *World Changers . . .*

Due to the tremendous success the City of Casper experienced with the World Changers program, the City of Cheyenne has agreed to support this program for Fiscal Year 2000. It is our hope to assist 20 low-income families with exterior rehabilitation in June 2001. Through partnerships and volunteer assistance, the anticipated cost for this program is \$2,000 per house for materials: paint; roofing shingles, nails, etc.; windows; doors; siding; handicap ramps; and other exterior materials as needed. For a one-week period, 279 World Changers have committed to work diligently to renew homes. Documentation demonstrates that the impact on the neighborhoods where the rehabilitation work has been done is immeasurable and has spurred neighbors to begin work on their homes resulting in a refreshed, revitalized neighborhood. Compliance by the City of Cheyenne with the Lead Safe Housing Regulations may result in the City re-evaluating the cost-effectiveness and the potential value-added to low-income families against the ability to participate in the World Changers program.

### VIII. City of Cheyenne

The City of Cheyenne and its partners will seek funding from HUD's \$84 million set-aside for Lead-Based Paint testing of single family and multi-family properties receiving assistance from HOME, CDBG, or Section 8 Rental Assistance. The City of Cheyenne estimates that 100% of the homes or 70 housing units rehabilitated by the Cheyenne Housing and Community Development Office over the next year will be tested for lead-based paint. Approximately \$500 per unit will be spent. We will request approximately \$38,500 for this purpose. The purchase and maintenance of an XRF machine for lead-based paint inspections will also be requested from the HUD set-aside funds.

#### **Transition Implementation Plan**

Needs Assessment

A. *Analysis of current capacity.* The current capacity to implement the particular requirements for each type of assistance under the Lead Safe Housing Regulation is almost non-existent in Wyoming and particularly in Cheyenne.

The City of Cheyenne, Wyoming, has concluded that our jurisdiction has no reasonable access to a lead paint inspector/risk assessor, abatement firms, and/or maintenance/rehabilitation workers.

The state of Wyoming does not have any laboratories accredited under the EPA National Lead Laboratory Accreditation Program. This lack of an accredited laboratory impedes the efficiency and effectiveness of the jurisdiction's Section 8 (Tenant-based rental units), which is administered by the Cheyenne Housing Authority. Testers, laboratory and a certified analyst is a high priority for Section 8, tenant-based rental units, to continue operating in a cost-effective, efficient manner. The additional burden placed on the landlord will limit the number of landlords willing to accept Section 8 tenants; therefore, the availability of the accredited resources is key to retaining those available rental units for Section 8 tenants.

Currently, Cheyenne Housing Authority has abated all lead-based paint in their public housing stock. This was accomplished through the use of Public Housing Modernization funds.

The City of Cheyenne, Wyoming, estimates that the Lead Safe Housing Regulation may cover as many as 1,772 units (45 rehabilitation, 20 down-payment assistance, 267 public housing, and 1,440 tenant-based rental assistance) in this jurisdiction per year. Of these, we estimate that about 355 will require testing and potentially, hazard reduction.

To conduct the initial clearance tests, approximately \$150 per unit will need to be spent. Risk assessment will cost \$350 per unit. The costs to encapsulate or abate lead-based paint will depend upon the size of the unit, the amount of lead-based paint to be removed, and the amount of the associated rehabilitation costs to bring the unit to a "clear" status. The City of Cheyenne believes that \$5,000 per unit must be made available to abate lead-based paint. Relocation costs to accommodate families in an alternative living facility until the lead-based paint in their home is abated and the unit declared "free and clear" of lead-based paint will be calculated as \$100 per day, for 30 days, per family.

A request of \$382,500 will be made to assist the City of Cheyenne, for the first year's program, with its 45 housing units requiring abatement and family relocation.

B. *Estimate of needed capacity.* Based on the number of units covered and the current capacity, the City of Cheyenne has identified the following capacity needs:

	Rehabilitation Assistance (Subpart J)	Acquisition, Leasing, Support Services (Subpart K)	Public Housing (Subpart L)	Tenant-Based Rental Assistance (Subpart M)
Number of Assisted Units Affected		20	267	1,440

Current Needed Current Needed Current Needed Current Needed

Trained Lead-Safe Practices persons FOR Interim controls On-going Maintenance, Paint Stabilization	0	1	0	1	0	1	0	1
Sampling Technicians or other certified persons FOR Clearance	0	1	0	1	0	1	0	1
Certified LBP inspectors & risk assessors FOR inspections and risk assessments	0	2	0	2	0	2	0	2
Certified lead-based paint Abatement supervisors FOR Abatements	0	1	0	1	0	1	0	1
Certified lead-based paint workers FOR Abatements	0	1	0	1	0	1	0	1

### Transition Implementation Plan

1. *Locating an accredited training provider.* The City of Casper's Housing and Community Development Division took the initiative for the partners (Cheyenne Housing and Community Development Office, the Wyoming Community Development Authority, the State Department of Health's Lead Reduction Office, and local housing authorities of the cities of Cheyenne and Casper) to research the availability of training providers within the Rocky Mountain region.

The University of Utah and the University of North Dakota, Environmental Training Institute, were identified. The University of Utah indicated that they would not travel with their trainers and estimated that training would cost \$75,000 - \$90,000. The University of North Dakota, Environmental Training Institute, would be willing to travel to any community in Wyoming to conduct a five-day training session in the areas of Inspector/Risk Assessor, Supervisor, and Worker. Estimated cost for this training is \$40,000, which does not include travel and expenses.

Cheyenne and Casper have tentatively committed to the University of North Dakota, Environmental Training Institute, for a five-day training session on February 19 - 23, 2001.

2. *Offering training.* Training will be offered to individuals committed to providing lead-related services to individuals and/or entities within the jurisdiction for an agreed upon period of time. The City of Cheyenne will request that HUD provide financial support to those individuals attending the training sessions for travel expenses and per diem.

Through the partnership, cooperation and sharing of information has begun to identify needs, training and potential participants. Training has been tentatively scheduled for February 19 - 23, 2001, in Casper, Wyoming. Confirmation of the training session will be dependent on approval from HUD on funding for this purpose.

The following is the proposed schedule of classes:

Inspector February 19-21, 2001

Risk Assessor February 22-23, 2001

The Supervisor February 19-22, 2001

The Worker February 20-21, 2001

3. *Performing outreach.* A marketing strategy will be developed by the partners to promote the training courses statewide and assure that attendance at training sessions is adequate.

4. *Cooperating and sharing information.* The City of Cheyenne is committed to working in a cooperative manner with our partners to assure training is provided for certifying lead-based paint personnel, sharing information to identify potential participants, and achieving the goals of this transitional plan.

5. *Contact local HUD Lead Hazard Control Grantees.* Since we have no HUD Lead Hazard Control Grantees, this is a deficit for the City of Cheyenne. Once training has occurred, sharing and partnering for the betterment of the community will eliminate this deficit.

6. *Prioritize housing.* Although Cheyenne statistics indicate that there have been no confirmed lead-based paint poisoning among children, the highest priority will be to provide services targeted to the oldest units occupied by children under the age of 6, or likely to be occupied by children under the age of 6.

7. *Maintain documentation.* Records will be maintained demonstrating the efforts and activities performed by the jurisdiction to achieve the goals of this plan.

8. *Schedule.* The City of Cheyenne has a working relationship with the City of Casper's Housing and Community Development Division, the Cheyenne Housing Authority, the State Department of Health's Lead Reduction Office, and the Wyoming Community Development Authority. The City of Cheyenne intends to strengthen its partnership with

these entities to provide an effective lead-based paint program that is mutually beneficial to Wyoming residents, and primarily to the children throughout the state.

HUD funding will be sought in an aggregate fashion, so that the partners may continue their cooperative efforts and provide greater opportunities to the state of Wyoming, the entitlement communities (Cheyenne and Casper), rural areas, residents, and specifically to the children within the two jurisdictions.

Financial assistance will include training and associated expenses: hiring trainers, training materials, site costs, and travel for the training company, as well as per diem, travel and lodging for local contractors. Wyoming's partners will work closely with HUD to determine and contain costs and still meet the training requirements to comply with the new Lead Safe Housing Regulation.

As part of the request for training funds, the City of Cheyenne intends to ask for additional funding to defray the costs to the contractors: mileage, per diem, and time off from their jobs. It is unknown, at this time, what that amount will be.

A copy of this "Transition Strategy to Implement HUD's Lead Safe Housing Regulation" may be viewed on the City of Cheyenne Website, [www.cheyennecity.org](http://www.cheyennecity.org), or at the Housing and Community Development Office, 2101 O'Neil Avenue, Room 302, City Clerks Office, State Library, or Laramie County Library.