

**City of Fort Worth  
Lead-Safe Program**



**(Lead Hazard Reduction Demonstration Grant Program)  
TNLHD0246-11**

**Policy & Procedures**

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## City of Fort Worth Lead-Safe Program Policy and Procedures

### I. Introduction

The Lead-Safe Program's (Program) is designed to reduce or control lead in homes in which children under the age of six reside or visit. The Lead-Safe Program is funded through the United States Department of Housing and Urban Development's (HUD) Lead Hazard Reduction Demonstration Grant (LHRDG) funds, as well as other City of Fort Worth (CFW) matching funds. All Applicant assisted homes shall meet eligibility requirements as noted. Lead grant funds may only be used for lead hazards or to protect any lead safety control measures as identified in the risk assessment report.

The CFW will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability or political belief.

### II. Definitions

**Adult** – Persons 18 years of age and older

**Completed Application**-For an application to be considered complete by the City of Fort Worth the following must be submitted: Application Form, Lead Hazard Control Blood Testing Release Form, Conflict of Interest Disclosure Form, Certification Form, Proof of Income (i.e. check stubs, current award letter, etc.) for the last 3 months for everyone living in the household who is over the age of 18, Copy of Applicant(s) current picture I.D., Agreement to attend Lead Safety Workshop

**Lead Hazard**-Any condition that causes exposure to lead from lead-contaminated dust; bare, lead-contaminated soil; or lead-based paint that is deteriorated or intact lead-based paint present on accessible surfaces friction surfaces, or impact surfaces that would result in adverse human health effects.

**Lead-Safe Workshop**- Means Specialized Cleaning Techniques, On-Going Maintenance, Recognizing Lead Hazards, and Preventing Child Lead Poisoning. Program Staff will make sure that the Owner is aware of the dangers of lead hazards and the need to monitor the lead hazard reduction work and areas containing lead-based paint that were not considered hazardous at the time and therefore, did not receive treatment.

**Program Services** – The Program shall provide the following services to eligible homes and Applicants free of charge:

- Lead-based paint inspections
- Testing of children under the age of six for lead poisoning
- Interior and/or exterior painting using lead safe work practices
- Specialized cleaning techniques to address lead dust
- Replacement of lead-contaminated components such as doors, windows, and siding if necessary
- Treatment of outside causes of lead contamination

**Program Staff** – City of Fort Worth employees who are assigned to the Program

### **III. Program Qualifications**

In order to qualify for any Program Service, the Applicant and home must meet all of the following criteria:

- A. Preliminary Program Qualifications for Single Family Owner Occupied Units
  - i. The home must be located in the City of Fort Worth;
  - ii. The Applicant must own the home as shown by a Warranty Deed or Deed of Trust and must occupy the home;
  - iii. The home must have been built prior to 1978;
  - iv. A child under the age of six either lives in the home or visits the home at least 2 separate days a week for at least 3 hours each day or a woman who is pregnant lives in the home/unit;
  - v. The combined household income for the Applicant and all adults living in the home who is 18 years old or older must be less than 80% of Area Medium Income (AMI) for Fort Worth;
  - vi. The home must not need more than \$5,000 in repairs to preserve Lead-Safe Program work. The need for repairs will be determined by Program Staff.
- B. Preliminary Program Qualifications for Rental Units
  - i. The home/unit must be located in the City of Fort Worth;
  - ii. The Applicant must own the home/unit as shown by a recorded deed;
  - iii. The home/unit was built prior to 1978;
  - iv. A child under the age of six either lives in the home or visits the home at least 2 separate days a week for at least 3 hours each day or a woman who is pregnant lives in the home/unit;
  - v. Rental units must meet the following income requirements: The combined household income for all adult tenants living in the rental unit must be less than 50% AMI for Fort Worth; however one rental unit with a combined household income for all adults between 50% and 80% AMI will be accepted into the program for every two rental units meeting the 50% income requirements. Rental units with household incomes of less than 80% will be placed on a list based on the date of a completed application. Placement on the waitlist does not guarantee that the property will receive services.
  - vi. The home/unit must not need repairs of over \$5,000 to preserve Lead-Safe Program work. The need for repairs will be determined by Program Staff;
  - vii. No rental units may have code citation in the last 2 years;
  - viii. The entire property must have a current Periodic Inspection for Multi-family;
  - ix. Must have and follow HUD Fair Housing Policy;
  - x. For all rental property Owners: Must agree to a lien on the property for the cost of the repairs that will be released upon the Owner renting the units that received services under the Program to families that earn less than 80% of Area Medium Income for Fort Worth for 3 years immediately following completion of lead-safe work;

- xi. For property Owners who own 5 or more rental units, the property Owner must pay the cost to relocate the family in the home/unit being repaired to a lead safe unit.
- C. Complete Program Qualifications
  - i. The Applicant and home/unit meets all program requirements listed in III. A. and B. above and has provided all documentation required.
  - ii. The home/unit must contain lead-based paint hazards that need to be addressed.
- D. Units Not Eligible for the Program
  - i. Properties owned by a bank through a foreclosure process
  - ii. Property Owners who have an outstanding City of Fort Worth Code citation
  - iii. Properties in which the Owner is unable to show clear title
  - iv. Properties with unrepaired fire and/or water damage
  - v. Properties that are vacant
  - vi. Properties that are structurally unsound as determined by City of Fort Worth
  - vii. Properties that are located in a floodplain
  - viii. Properties that contain excessive personal items which prohibit Program Staff's ability to perform inspections/risk assessments properly as determined by City of Fort Worth
  - ix. Properties that have participated in the City's previous lead hazard programs

**IV. Prioritization of Services**

Eligible Homes/Units will be provided Program Services under the following Priority Schedule

Low and Moderate Income Housing Units where EBLL Children Reside or Visit (Owner or Renter-Occupied)	Priority One
Pre-1978 Single Family Homeowner Housing Units with Children under Six, Lead Hazards Present and Low Moderate Income	Priority Two
Pre-1978 Single-Family Homeowner Housing Units with Lead Hazards Present, where Children under Six spend Significant Time Visiting	Priority Three

Priority One Home/Unit will be completed before other homes/units.

**V. Blood Lead Test of Children**

- A. Children are not required to have their blood tested for lead in order for the home/unit to be considered for the program, however the City of Fort Worth encourages that all children under the age of six have their blood tested for lead. If the family chooses not to have their child(ren) tested for lead, the family will be required to sign a statement that they have chosen not to have the blood test performed.
- B. Testing methods shall be by venous blood draw. Families shall be referred to their primary care physician or medical clinic for blood lead testing with

laboratory analysis performed. For children who do not have insurance or where the insurance will not pay for the test, the cost of the appointment and the laboratory analysis will be paid for by the program.

- C. If the child has been tested for lead in her/his blood, the test result must not be older than 12 months.

If the family agrees to test their child's blood lead level, the test should be conducted before the start of lead-safe work on the home.

## **VI. Program Limit**

Owner occupied units that qualify for the Program will be allocated up to an average \$12,500 per home. Occupied rental units that qualify for the Program will be allocated up an average to \$7,000 per rental unit. Homes designated to be "Historical" by the Texas Historical Commission and homes with extensive lead-based paint hazards may be allowed higher limits as determined by the sole discretion of the City of Fort Worth.

## **VII. Program Marketing**

The Program's marketing program will target families with children under the age of 6 years who are in need of lead-based paint hazard control assistance. These efforts will be made through collaboration with local health care providers, community-based organizations, faith-based organizations and other local agencies. Marketing efforts will be made via presentations, health and housing fairs, media coverage, telephone consultations, and mass mailings. In addition, the Program will have a website on the City of Fort Worth website with information about lead, the Program and the application. The Program will target low to moderate income families who meet the child requirement and live in the 76104, 76105, 76106, 76110, 76111, 76164 zip codes.

## **VIII. Applications**

### **A. Referrals to the Program**

- i. The City will accept referrals of property Owners from other City Departments, other governmental entities, for profit and non-profit entities.
- ii. Program staff will review each referral form and begin the application process set forth in VIII. B.

### **B. Application Process**

- i. All persons who contact the Program will be entered into the Program Database.
- ii. All persons who contact the Program or are referred to the Program will be contacted via telephone, e-mail, mail or in person. Program Staff will screen the interested person to ensure that they meet the Preliminary Program Qualifications. If the resident appears to meet the Preliminary Program Qualifications, an application will be provided to the Applicant.
- iii. Applications for the Program will be available in person, e-mail, on line or by mail. In addition, for residents who are unable to fill out the application, Program Staff will schedule an appointment to meet with the resident to assist in completing the application form and discuss how to gather required documents for the application.
- iv. The complete application consists of:

- v. If the Applicant fails to submit a complete application, Program staff will send a letter to the Applicant detailing the missing information. This information will be included in the database.
- vi. If after 30 days the Applicant has not returned the missing information the application will be denied. A denial letter will be mailed out to the Applicant.
- vii. If an Applicant was denied due to missing information on a previous application the Applicant may submit a complete new application with all required documents and certificates. The application will be processed and services delivered in the order that the completed application is received.
- viii. Program Staff will review the completed application, documentation and certifications to determine if the Applicant is eligible to receive program services.
- ix. All applications will be processed by date received, with the exception of households with children with elevated blood lead levels.
- x. All approved applications will be prioritized using the following schedule with Priority One getting inspected first:

Priority Level	Criteria
Priority One	Any qualifying unit with an EBLL living or visiting
Priority Two	Pre-1950 unit with child under six occupying the unit
Priority Three	Pre-1950 unit with child under six visiting the unit
Priority Four	1950-1978 unit with child under six occupying the unit
Priority Five	1950-1978 unit with child under six visiting the unit

- xi. The home/unit will only be inspected for lead once Program Staff determines the Applicant qualifies.

C. Required Documentation Needed for Application

The following documentation is needed in order for the application to be considered “complete”:

- i. Warranty Deed or proof of Ownership-this is shown by a copy of the recorded deed in the name of the Applicant. If the property is owned by more than one person/entity- all persons/entity must sign the application. All property Owners’ income will be considered as part of the application.
- ii. Tarrant Appraisal District Record to verify if the home is located within the Fort Worth city limits and that the home/unit was built prior to 1978.
- iii. This documentation is considered valid for up to 12 months following its collection. After 12 months, updated documents should be collected.

**Refusal to provide income documentation will be cause for denial from the program.** Income documentation will be required by providing the following:

1. Current Paycheck stubs (3)
2. Social Security or SSI award letter
3. Retirement, Pension letters
4. Veteran’s income
5. Annuities

6. Child Support
7. T.A.N.F.-Temporary Assistance for Needy Families
8. Food Stamps

#### D. Denials

##### i. Applications

1. The home/unit is not located in the City of Fort Worth.
2. The Applicant does not own the home/unit or cannot prove Ownership.
3. The home/unit was built in or after 1978.
4. A child under the age of six does not live in the home or does not visit the home at least 60 hours annually or a woman who is pregnant does not live in the home/unit.
5. The household income exceeds the income guidelines stated in Section III., A. v. for Owner occupied homes and B. v. all parts for rental units.
6. The home/unit needs repairs of over \$5,000 to preserve the Lead-Safe Program work. The need for repairs will be determined solely by Program Staff.
7. For Rental Units Only - the rental property does not have a current Certificate of Compliance as required by state and local building codes.
8. For Rental Units Only—the Owner does not have or follow HUD Fair Housing Policy; or
9. For Rental Units Only – the Owner does not agree to a lien on the home/unit for the cost the repairs that will be released upon the Owner renting the units that received services under the Program to families that earn less than 50% of Area Medium Income for Fort Worth.
10. Failure to provide a Complete Application within 30 days of the City notifying the Applicant.
11. Units located in a floodplain.
12. Applicant does not agree to attend the Lead-Safe Workshop for Specialized Cleaning Techniques, On-Going Maintenance, Recognizing Lead Hazards, and Preventing Child Lead Poisoning.
13. Properties that contain excessive personal items which prohibit Program Staff's ability to perform inspections/risk assessments properly as determined by City of Fort Worth
14. Properties that have participated in the City's previous lead hazard programs

- ii. All denials will be reviewed by the Program Manager. If the Program Manager concurs with the denial, the Applicant will be notified in writing that the application is denied and the reason for the denial. The denial and the reason will be entered into the database.
- iii. If the application was generated as a result of a referral, the referral will be attached to the application and the denial letter.

##### E. Approvals

- i. After being initially reviewed, the Program Manager will review the application for final approval. Once approved, the Program Manager will assign the housing unit to a Rehabilitation Technician for a lead-based paint inspection/risk assessment.
- ii. Program staff will enter the approval date into the database and send a letter to the Applicant informing them of the approval.
- iii. The approval letter will detail the inspection process and will inform the Applicant of the Rehabilitation Technician who has been assigned to the home/unit and that staff will be contacting them to schedule an appointment.
- iv. Once the appointment is scheduled with the Applicant, the Administrative Assistant will create the file for the Applicant and include the Lead-Safe Program File Checklist, the complete application and all correspondence.

## **IX. Lead Safety Inspection and Lead Safety Control Measures**

### **A. Preliminary Lead-Based Paint Inspection/Risk Assessment**

The Process for the inspection shall be as follows:

- i. All approved applications will be scheduled for a lead-based paint inspection/risk assessment to determine if a lead hazard exists.
- ii. The Program Staff will perform the inspection/risk assessment according to all federal, state, local and Program guidelines. During the inspection, a brochure from the Environmental Protection Agency (EPA) will also be given to the property Owner and Occupant at this time.
- iii. Results of the lead-based paint inspection/risk assessment will be provided to the Applicant and Occupants in writing. Program Staff will inform the Applicant about the next step.
- iv. If the risk assessment indicates that a lead hazard exists, Program Staff will start the process to complete the HUD Environmental Review. Lead hazard reduction measures can only begin on the home/unit after the complete environmental review process is completed; and there is a “Finding of No Significant Impact.”
- v. If the risk assessment report shows that a lead hazard does not exist, the Applicant will be notified and the file will be closed.

### **B. Determination of Lead Safety Control Measures to be Completed**

- i. The CFW staff shall develop a work order utilizing the lead-based paint inspection/risk assessment reports.
- ii. Program Staff shall prepare a detailed drawing of the housing unit that will identify the location of XRF tests, dust wipes and soil samples.
- iii. A detailed work order will be prepared which specifies the lead hazard controls that will be performed on the housing unit. Program Staff has complete discretion regarding the lead reduction measures used and whether components, such as windows, doors, flooring, soil, sod and cabinets, will be replaced.
- iv. Housing Developer Pro software will be used to create the work order.
- v. The Lead-Safe Program Manager shall review the completed work order and once approved will assign it to a Contractor.

- vi. No appliances throughout the home will be moved, removed and/or replaced.

**X. Performing Lead Safety Control Measures**

**A. Initial Meeting with the Applicant**

- i. Once a completed work order is finalized, Program Staff will prepare an information package for the Applicant that shall contain the following:
  - 1. A copy of the completed work order;
  - 2. The process of how the work will be performed and the time it will take;
  - 3. Temporary Relocation Contract for the Occupants if needed;
  - 4. The contract requiring the Applicant to attend Lead-Safe Workshop for Specialized Cleaning Techniques, On-Going Maintenance, Recognizing Lead Hazards, and Preventing Child Lead Poisoning.
  - 5. The contract with the Applicant so that the work can be performed on the property.
  - 6. Any other pertinent documentation.
- ii. Program Staff will schedule a meeting with the Applicant to go over the items listed in X. A. i. above. No additional work will be added to the completed work order.
- iii. The Applicant has the right to cancel the work at any time. This will be included in their contract. If the homeowner or landlord decides to cancel the work, Program Staff will mail a letter to the Applicant acknowledging the request and the file will be closed.
- iv. Once Applicant has the right to cancel the work at any time. This will be included in their contract. If the homeowner or landlord decides to cancel the work, Program Staff will mail a letter to the Applicant acknowledging the request and the file will be closed.

**B. Documents Needed to Begin Lead Safety Work**

In order to begin the Lead Safety Work, the following is needed:

- i. Completed Application
- ii. Environmental Review Process is completed
- iii. All contracts with the Applicant must be signed to begin work on the home/unit
- iv. The Applicant must have completed the Lead-Safe Workshop for Specialized Cleaning Techniques, On-Going Maintenance, Recognizing Lead Hazards, and Preventing Child Lead Poisoning.

**C. Temporary Relocation During Lead Safety Work for Owner Occupied Single Family Homes**

It may be necessary to relocate the occupants of the home to protect the health and safety of the occupants during the Lead Safety Work. Program Staff will make the determination if temporary relocation of the home's/unit's occupants is necessary. This will be offered only in extreme cases when the Applicant is unable to find or afford temporary accommodations. Program Staff will determine the type and amount of relocation benefits to be provided.

D. Temporary Relocation During Lead Safety Work for Rental Property

It may be necessary to relocate the occupants of the home to protect the health and safety of the occupants during the Lead Safety Work. Program Staff will make the determination if temporary relocation of the home/unit occupants is necessary.

- i. The landlord shall pay for all temporary relocation of occupants. For multi-unit housing, the property Owner will be required to find a vacant unit in the complex and have it certified as lead-safe and can use this as temporary housing.
- ii. This vacant, lead-safe unit will be used to temporarily relocate the property's tenants while work is being done on their units.

E. Performing the Lead Safety Work

- i. During the pre-construction walk through the work order will be reviewed by the Contractor and the Applicant, the time to complete the work and the Applicant will be able to select colors for materials to be used from a pre-approved list.
- ii. Once the work start date has been approved by the Applicant, the Contractor and Program Staff, three copies of the work order will be sent to Contractor to be signed.
- iii. The Work Order will contain at least the following terms:
  1. Work Schedule
  2. Payment Schedule
  3. Owner's material selection
- iv. As soon as the Work Order is executed, Program Staff will meet with the Contractor and the Applicant at a Pre-Construction Meeting to go over the work and work schedule.
- v. A Notice to Proceed will be sent to the Contractor after the Work Order is fully executed and a release number is generated by City. The Notice to Proceed and the Contract will be placed in the Applicant's file.

F. Lead Hazard Control Process

- i. The construction phase includes daily inspections by Program Staff to monitor the work including oversight of the Lead-Based Paint hazard Reduction.
- ii. The Contractor will be expected to carry out the work in accordance to the schedule established in the contract and at the pre-construction meeting and in compliance with applicable program state and federal lead regulations and standards including HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (June 1995 and as amended).
- iii. The Contractors shall request the City's permission to change any start up or completion dates and the Contractor must also notify Texas Department of State Health Services (DSHS).
- iv. Any changes to the work order that require the issuance of a Construction Change Order must be approved by the Program Manager and if approved will amend the contract.
- v. The Contractor will be responsible for all local, state and federal permits.
- vi. Contractor will be responsible for all state and federal laws.

- vii. After the lead hazard reduction work is completed, Program Staff will perform a punch list inspection.
- viii. Program Staff will schedule a final inspection, which will be attended by the Contractor Applicant to ensure that all work has been completed. A punch list will be created by Program Staff. Upon the completion of the punch list the lead risk assessor will perform a visual and clearance inspection. In the case of a failed clearance, the costs of re-cleaning and re-testing will be the responsibility of the Contractor.
- ix. Once the unit has passed all inspections, the Applicant or Occupant will be provided with a Hazard Reduction Notice and Clearance Report. Additionally, all warranties will be transferred to the Applicant at this time and will be permitted to move back into their home. During the one-year warranty period, Applicants will contact the Contractor to respond to warranty issues.