



**OFFICE OF  
HEALTHY HOMES**  
City of Quincy

**Quincy Lead Abatement Program  
Program Guidelines  
2020**

Supported by:

Department of Planning and Community Development  
34 Coddington Street 3<sup>rd</sup> Floor  
Quincy, MA. 02169



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Office of Lead Hazard Control and Healthy Homes



## PROGRAM SUMMARY

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The City of Quincy Office of Healthy Homes' ("Office") Lead Abatement Program ("Program" or "QLAP") provides 0% interest, forgivable loans to help property owners address lead-based paint hazards in owner-occupied and renter-occupied housing across Quincy. Through the Program, property owners are able to bring their properties into compliance with the State of Massachusetts Lead Law and the Lead Poisoning Prevention and Control regulation at 105 CMR 460.00.

The Program is open to owner-occupants, investor-owned properties, and tenant-occupied residences. Funding from the program can be used to cover all aspects of a residential deleading project, including lead-based paint inspections/risk assessments, post-compliance assessment determinations, lead hazard abatement, final inspections for Letters of Full Compliance, and financial assistance to pay for temporary relocation in instances where occupants need to be temporarily relocated.

Occupants of units that are abated through the Program must be very low-income (earning up to 50% of the area median income) or low-income (earning up to 80% of the area median income). Priority through the Program will be provided to households where a child under the age of 6 resides.

## PROPERTY ELIGIBILITY

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Eligible properties include owner-occupied single-family and multi-family properties and investor-owned single-family and multifamily properties. In addition, properties abated through the Program must:

- Be built prior to 1978
- Be current on all payments due to the City of Quincy for property taxes, water and sewer, and other fees
- Be free of conditions deemed to endanger or impair health or safety, as established in Section 410.750 of the Minimum Standards of Fitness for Human Habitation at 105 CMR 410.00
- Be operated within the legal, permitted use for all units as determined by the Quincy Inspectional Services Department and be in conformance with the City of Quincy Zoning Code.
- Occupants of the units receiving assistance through the program must meet the income eligibility requirements established by HUD for very low-income households of low-income households, as described in more detail herein.

## OCCUPANT ELIGIBILITY: INCOME LIMITS AND FAMILIES WITH CHILDREN UNDER 6

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### Income Limits

In addition to meeting the property eligibility requirements, the occupant of the unit (whether they are an owner-occupant or a tenant) must qualify as be a very low- or low-income household with a household income that does not exceed the income limits detailed in the table below.

The income limit for both owner- and renter-occupied housing units is 80% of the area median income (AMI) as determined by the U.S. Department of Housing and Urban Development annually. In addition, households who earn up to 50% of AMI should occupy one-half of the units in a rental project assisted through the Program.



**Income Limits**

HH Size	1-Person	2-Person	3-Person	4-Person	5-Person	6-Person	7-Person	8-Person
Very Low-Income 50% AMI	\$47,000	\$53,700	\$60,400	\$67,100	\$72,500	\$77,850	\$83,250	\$88,600
Low-Income 80% AMI	\$70,750	\$80,850	\$90,950	\$101,050	\$109,150	\$117,250	\$125,350	\$133,400

Income limits subject to annual change as determined by the U.S. Dept. of Housing and Urban Development

In determining household income, income from all household members who are 18 years of age or older will be included in the income eligibility determination. Please see “Attachment A: Determining Income Eligibility” for a detailed list of income sources that are included or excluded from the household income calculation.

**Households with Children under 6 years of age**

For units where the occupants are renters, preference for funding from the Program will be given to units where a child under six resides. If a child under six does not reside at the property at the time of application, the unit can still receive assistance under the Program provided that the property owner agrees to market the unit to families with children under the age of 6 upon unit turn over. Vacant units are also eligible to be assisted through the Program. For vacant units, preference in renting the unit should be given to families with a child under the age of six after completion of the project.

A child must live in owner-occupied units in order for the unit to be eligible for the Program or meet the Visitation Standard detailed below.

Renter and owner occupied housing units where a child under the age of six does not reside, but where a child under the age of six spends a significant amount of time are also eligible for the Program, provided the unit and occupant meet all other Program requirements. The Visitation Standard for the program requires that a child under six spends a minimum of two separate days a week for a minimum of three hours each day (for a total of at least 60 hours per year) at the unit to be assisted through the Program.

**LOAN TERMS AND MAXIMUM FUNDING AMOUNT**

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The assistance offered through the program will be in the form of a 0% interest, deferred payment loan that is eligible to be forgiven after five years provided that the property owner meets all the Program requirements during the five-year loan term. The loan will be secured by a mortgage on the property.

Up to \$10,000 in assistance is available for each unit that is assisted through the Program. Other funding sources, such as MassHousing’s Get the Lead Out Program can be used to supplement funding through the Program.

**STATE TAX CREDIT**

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Owners of units that are abated through the Program and receive a letter of Full Deleading Compliance are eligible for up \$1,500/unit in state tax credits through the Massachusetts Lead Paint Removal Tax Credit (subject to change).



## **ELIGIBLE PROJECT COSTS**

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Funding through the Program can be used to pay for Eligible Project Costs associated with lead-hazard control activities. This includes, but is not limited to, initial lead inspections and risk assessments, re-occupancy reinspections, inspections for interim control, final inspections for full deleading compliance, and post compliance assessment determinations for properties that have received a letter of compliance. All inspections will be completed by a State of Massachusetts Licensed Lead Inspector/Risk Assessor that has been procured for the Program.

The removal of lead-based paint hazards is the primary focus of funding for the Program. The methods of deleading will be determined based upon the results of the lead inspection and the applicable state and federal standards required to bring a unit into compliance. Program staff will work with property owners to develop bid specifications for the project based upon the nature of the hazards, funding availability, other project costs, and the Office's program policies for materials, methods and finishes. In instances where relocation is required during the deleading project, the occupant of the property will be eligible for up to \$1,000 in relocation assistance.

All deleading work completed with funding through the Program will be completed by Authorized Persons and Firms licensed to do deleading work in the State of Massachusetts. All companies completing deleading work will be approved by the Program to ensure compliance with Office of Healthy Homes Contractor Qualifications. All deleading projects will be bid and competitively procured through the Office of Healthy Homes in accordance with the Office's program policies.

## **BIDDING AND PROCUREMENT**

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All deleading work completed with funding through the Program will be completed by Authorized Persons and Firms licensed to do deleading work in the State of Massachusetts. All companies completing deleading work will be approved by the Program to ensure compliance with Office of Healthy Homes' Contractor Qualifications. All deleading projects will be bid and competitively procured through the Office of Healthy Homes in accordance with the Office's program policies.

## **LEAD HAZARD CONTROL STANDARDS**

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All projects undertaken through the Program will be completed in accordance with the applicable State and Federal Regulations. These regulations include, but are not limited, to:

1. 105 CMR 460.00 Lead Poisoning Prevention and Control
2. 454 CMR 22.00 Deleading and Lead Safe Renovation Guidelines
3. 40 CFR Part 745 – Lead Based-Paint Poisoning Prevention in Certain Residential Structures
4. 24 CFR Part 745 - Lead Based-Paint Poisoning Prevention in Certain Residential Structures

In any instances where the state and federal regulations establish different standards, thresholds, and requirements the stricter provision will apply to the project.

## **APPLICATION FOR ASSISTANCE**

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All prospective participants in the Program (both property owners and tenants) will be required to submit a Program Application and all necessary information detailed in the Program Application for consideration for



assistance. The Program has two application forms, one for Property Owners (both owner occupants and non-owner-occupied investor-owned properties) and one for tenants. Owner-occupied units will only need to submit the owner application. In properties occupied by renters, both the property owner and the tenant will need to complete the separate applications for the Program.

To apply to the program, all applicants must submit the City of Quincy Housing Rehabilitation Program Application to Office of Housing Rehabilitation. Applications must include all of the required supporting documentation detailed in the application. Applicants who fail to provide **all of the required documentation** will not be reviewed for eligibility for the Program.

Complete applications, with required supporting documentation, should be returned in person or mailed to:

**Office of Healthy Homes  
34 Coddington Street, 3<sup>rd</sup> Floor  
Quincy, MA 02169**

Questions about the application or the application process can be answered by phone at 617-376-1362 or [LAP@quincyma.gov](mailto:LAP@quincyma.gov).

## **FAIR HOUSING AND EQUAL OPPORTUNITY**

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The Office of Healthy Homes completes its operations in accordance with federal fair lending laws. Under the federal fair housing act, it is illegal, on the basis of race, color, national origin, religion, sex, handicap, or familial status (having children under the age of 18), to: deny a loan for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or deny any loan secured by a dwelling; or discriminate in fixing the amount, interest rate, duration, application procedures or other terms or conditions of such a loan, or in appraising property.

We are pledged to the letter and spirit of U.S. Policy for the achievement of EQUAL HOUSING OPPORTUNITY throughout the Nation. We encourage and support an affirmative advertising and marketing program in which there are no barriers to obtaining housing because of race, color, religion, sex, handicap, familial status, or national origin.



## ATTACHMENT A: DETERMINING INCOME-ELIGIBILITY

In order to be eligible for Program assistance, beneficiaries must meet income limits established by HUD (Under the Program, annual income is defined in 24 CFR 5.609 which is used by a variety of federally-assisted programs. The Part 5 definition of annual income is the gross amount of income of all adult household members (over 18) that is anticipated to be received during the coming 12-month period. The table below details what is included and what is excluded in determining a household's income.

### Calculating annual income: Inclusions and exclusions

Sources of income 24 CFR 5.609 (b)	Sources of income that are <i>included</i> in calculating household income
<b>1. Income from wages, salaries, tips, etc.</b>	The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services. Overtime earnings must be based upon the average of the year to date and projected over the next 12 months.
<b>2. Business income</b>	The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income
<b>3. Interest and dividend income</b>	Interest, dividends, and other net income of any kind from real or personal property. If assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a % of the value of such assets based on the current passbook savings rate, as determined by HUD.
<b>4. Retirement and insurance income</b>	The full amount of periodic amounts received from SS, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount .
<b>5. Unemployment and disability income</b>	Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay (except as provided in number 3 of Income Exclusions).
<b>6. Welfare assistance</b>	If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income.
<b>7. Alimony, child, gift support,</b>	Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling.
<b>8. Armed Forces</b>	All regular pay, special day and allowances of a member of the Armed Forces.

Sources of income 24 CFR 5.609 (c)	Sources of income that are <i>excluded</i> from calculating household income ( <i>Partial list. Other exclusions include reparations; income from full-time students; adoption assistance payments; deferred periodic social security and SSI benefits; property tax refunds; home care assistance and other federal exclusions.</i> )
<b>Income of children</b>	Income from employment of children (including foster children) under the age of 18 years.
<b>Foster Care payments</b>	Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone).
<b>Inheritance and insurance income</b>	Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in number 5 of Income Inclusions).
<b>Medical expense reimbursements</b>	Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member.
<b>Income live-in aides</b>	Income of a live-in aide (as defined in 24 CFR 5.403).
<b>Gifts</b>	Temporary, nonrecurring, or sporadic income (including gifts).



## **ATTACHMENT B: FREQUENTLY ASKED QUESTIONS**

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### **I'm not sure if my property has ever been tested for lead paint hazards? Is there any way that I can find out?**

Yes, the State of Massachusetts Childhood Lead Poisoning Prevention Program maintains a list of all the properties in the State of Massachusetts that have been tested for lead based paint hazards. The list contains all property inspections and any lead-hazard control activities that were completed in compliance with the State Law. The website can be accessed at the link below:

<https://eohhs.ehs.state.ma.us/leadsafehomes/default.aspx>

### **I am currently renting a unit and not sure if my landlord is willing to participate in the Program? What should I do?**

Share the information about the Program with your landlord to gauge their interest. Program staff are also readily available to discuss the Program with your landlord and to answer any questions that they may have.

### **My property was inspected for lead hazards a few years ago, but no lead abatement work was completed. Am I still eligible to participate in the Program?**

Yes. It is likely that the initial inspection will need to be updated to document the existing condition of the property to ensure that all lead hazards are identified. After the addendum to the initial inspection is complete, any lead hazards identified could be abated through the Program.

### **If I complete a lead inspection at my property am I required to move forward with lead hazard reduction activities?**

No. You are not required to move forward with lead hazard control activities, but you are strongly encouraged to do so. Failure to address lead hazards is a violation of the state sanitary code and as an owner of the property you are subject to strict liability and damages if a child under six resides at the property and is lead poisoned.

### **If I am the property owner, but I don't live at the property, do I have to meet the income eligibility requirements?**

No. The income eligibility requirements apply to the occupant of the unit where lead hazard reduction activities will be completed. If the unit is occupied by renters, then the tenant household will need to be income eligible. If the unit is owner-occupied, then the owner will need to be income eligible.

### **I am pregnant and we are concerned that the unit that we live in may have lead-based paint hazards, can we apply to the program?**

Yes. Units that are occupied by households with an expectant mother, whether or not other children live at the property, are eligible to be assisted through the Program.

### **My grandchild does not live with me, but I babysit them three days a week for four hours each day, am I eligible for the Program?**

Yes. The Program has a Visitation Standard whereby a unit where a child under six spends a significant amount of time. The Visitation Standard for the program requires that a child under six spends a minimum of two separate days a week for a minimum of three hours each day (for a total of at least 60 hours per year) at the unit to be assisted through the Program.

### **Do I have to make any payments on the Loan?**

No. The assistance offered through the Program is in the form of a 0% interest, deferred payment loan that will be forgiven after a period of five-years provided that you meet the Program requirements and give preference to renting your unit to a household with a child under the age of 6 years old for rental units.

