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1. General Information:

The DHCR's Office of Low-Income Energy Conservation (OLIEC) contracts non-profit organizations to identify and abate lead-based paint hazards in income eligible households via lead abatement measures. HUD Lead-Based Paint Hazard Reduction Agencies (further referred to as sub-grantees) are selected to provide lead abatement and healthy homes services.

1.1. HUD Lead-Based Paint Hazard Reduction Sub-Grantee Qualifications and Requirements

Sub-grantees must have working knowledge of and the capacity to accomplish the following:

- Community outreach;
- Application intake and processing;
- Coordination of a combined Lead Inspection/Risk Assessment (LIRA) through a certified Lead Evaluation contractor, in accordance with N.J.A.C. 5:17 Lead Hazard Evaluation and Abatement Code and HUD Guidelines for the Inspection and Remediation of Lead Based Paint Hazards;
- Oversight of formal bidding, contractor selection, and contract award activities in accordance with Federal and State Procurement Laws;
- Relocation and case management of relocated occupants as per Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended;
- Monitoring project, insuring project completion and project close-out;
- Compliance with proper waste disposal methods; and
- Compliance with Federal Fair Housing, Non-Discrimination and Equal Opportunity.
- Complete and undertake the program activities as reflected in the HUD LBPHR Workflow Process chart.
- Demonstrate the ability to accept payment on a reimbursable basis and in accordance with Grant Payments Policy.
- Demonstrate past experience in administering lead hazard control and/or weatherization assistance programs.
- Be certified as an RRP firm with the U.S. Environmental Protection Agency at the time of application.

1.2. LBPHR Work Flow

1) Client applies for HUD LBPHR at designated Sub-Grantee Agency.

2) Sub-Grantee reviews client application and documentation to determine client eligibility

3) The Sub-Grantee sends a DCA Certified Lead Evaluator to conduct a complete Lead Inspection /Risk Assessment (LIRA), of the property and produces a scope of work and cost estimation. After the Lead Evaluation has been completed, sub-grantee must complete the Environmental Review Checklist. If the local Department of Health has completed a Lead Assessment of the unit, the Sub-Grantee must insure that it is a complete LIRA. If it is just a lead inspection or just a lead risk assessment, it is considered incomplete and a full LIRA must be conducted.

4) Sub-grantee's Intake Employee uses the [File Content and Compliance Checklist](#) to ensure all intake documents are on file and for client and enters all intake information into Hancock Energy Software for the HUD LBPHR Program(HESWAP).

5) The client is determined eligible based on the guidelines in HUD LBPHR Program Policy Manual, Chapter 1, [Eligibility and Documentation](#).

6) The measures produced from the scope of work are entered into HESWAP to create a work order. This is used by the sub-grantee when issuing to contractor when lead abatement work is contracted out.

6. a The work order is assigned a Job Number.

7) The sub-grantee contracts out the work to qualified lead abatement contractors in accordance with the Federal and State Procurement Method. The procured contractors conduct work measures, as stated on the Scope of Work, on the property.

8) After work is complete, the DCA Certified Lead Evaluator should perform two (2) Lead Clearance Exams of the property (one for interior and one for exterior). The Final Inspection form is provided to Sub-grantees via HESWAP.

9) Once the unit passes Final Inspection by the sub-grantee, it is entered onto an invoice in HESWAP and submitted to DCA for State Monitor Review.

8) State Monitors receive the submitted invoice from the sub-grantee and performs a client file review as well as field inspection. Based on sub-grantee performance, field inspections are performed on 50% to 100% of the homes invoiced.

9) Client file review is performed to confirm the sub-grantee adheres to the guidelines outlining the required documents in each client file from the File Content and Compliance Checklist. State Inspections are scheduled.

10. a The home fails field inspection.

10. b The home passes field inspection.

10.a The home fails field inspection.

10.a.1 Monitor fails unit and provides sub-grantee with monitor inspection report which indicates the findings.

10.a.2 Sub-grantee makes corrections and request re-inspection or review by State Monitor.

10.a.3 The Monitor either revisits or confirms through photo or file verification that the work is corrected.

10.a.4 Depending on the findings, the invoice may need to be returned to the sub-grantee (un-submitted) to allow them to account for the additional work performed. If additional work is identified, the invoice will be released to allow for additional work to be added. The sub-grantee has 24 hours to complete the additions and/or changes to the invoice(s).

10.a.5 Sub-grantee submits the invoice in HESWAP.

10.a.6 The State Monitor provides the sub-grantee with a DCA Monitors Final Inspection Report and Monitor Inspection Forms allowing them to request payment from DCA.

10.a.7 Sub-grantee prepares Financial Status Report (FSR) in System for Administrating Grants Electronically (SAGE) which includes required supporting documents. Monthly FSRs are due by the 15th calendar day following the close of the month. The timelines and list documents are outlined in 2.3 Grant Reporting and Payments

10.a.8 With State Monitor approval, the FSR is reviewed and approved by the following staff: HUD GTR, Grant Manager, RFP Program Manager, and RFP Division Fiscal.

10.a.9 Once approved by DCA Staff electronic payment is issued to Sub-Grantee.

10.b.1 The home passes field inspection.

10.b.2 The Monitor provides the sub-grantee with a signed Final Inspection Report allowing them to request payment from DCA.

10.b.3 Sub-grantee prepares Financial Status Report (FSR) in System for Administrating Grants Electronically (SAGE) which includes required supporting documents. Monthly FSRs are due by the 15th calendar day following the close of the month. The timelines and list documents are outlined in 2.3 Grant Reporting and Payments

10.b.4 With State Monitor approval, the FSR is reviewed and approved by the following staff: Grant Manager, RFP Program Manager, and RFP Division Fiscal.

10.b.5 Once approved by DCA Staff electronic payment is issued to sub-grantee.

1.3 Service Areas

The service areas for this grant are limited to specific target service areas in New Jersey. The eleven (11) cities eligible for the HUD LBPHR program are the following:

- Atlantic City
- Camden
- East Orange
- Elizabeth
- Irvington
- Jersey City
- Newark
- Passaic
- Paterson
- Plainfield
- Trenton

Sub-grantees are limited to the 11 target service municipalities until otherwise stated by HUD and NJDCA.

1.4 Lead Abatement Definition HUD Guidance Chapter 12 and 13

The U.S. Department of Housing and Urban Development (HUD) in their “Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (2012 Edition)” specifically state the methods of Lead Abatement in Chapters 12 and 13. Those methods include the following types of abatement methods:

- Building component replacement
- Enclosure
- Paint removal
- Encapsulation

The following are links to the HUD Guidance for Chapter 12 and 13 respectively:
https://portal.hud.gov/hudportal/documents/huddoc?id=ch12_abatement_121212.pdf
<https://portal.hud.gov/hudportal/documents/huddoc?id=lbph-15.pdf>

1.5 Lead Hazard Evaluation and Abatement Code N.J.A.C. 5:17

a. DCA Certified Lead Abatement Contractor

In accordance with New Jersey's Lead Hazard Evaluation and Abatement Code (N.J.A.C. 5:17) any company offering to perform lead hazard evaluation or lead abatement in New Jersey must be certified by the New Jersey Department of Community Affairs (DCA). N.J.A.C. 5:17. To comply with NJAC 5:17, the sub-grantee is **required** to procure and utilize a DCA Certified Lead Abatement Contractor to conduct lead abatement work on a property. A list of DCA Certified Lead Abatement Contractors can be found at http://www.state.nj.us/dca/divisions/codes/publications/pdf_lead/ld_abat_c.pdf Lead Abatement Contractors that are not certified by DCA are prohibited from working on a lead abatement project that requires lead abatement measures.

b. Duties of the Contractor

The sub-grantee must ensure that the procured DCA Certified Lead Abatement Contractor adheres to section 5.1 "Duties of the Contractor" of NJAC 5:17. This section provides explicit directions as to the required notifications to DCA that the lead abatement contractor needs to adhere to.

c. Permits Required

As stated in NJAC 5:17- 5.2 "Permits Required", "Effective January 1, 1996, a permit under the Uniform Construction Code (UCC) shall be obtained for any work intended to abate lead hazards. Additionally, a permit under the UCC shall be obtained for any related construction work requiring a permit."

1.6 Childhood Lead Poisonings N.J.A.C. 8:51

In addition to following the federal regulations outlined in Section 1.4, each project that pertains to a child with an elevated blood level (EBL) must adhere to the N.J.A.C. 8:51 Childhood Lead Poisonings.

1.7 Lead Inspection Risk Assessment

For units that have received a "Notice of Violation" from the local Department of Health, the local Department of Health may have conducted their own lead assessment. Sub-grantees must ensure that the local Department of Health conducted a full Lead Inspection/Risk Assessment (LIRA). If only a lead inspection was completed, the sub-grantee is required to send their procured DCA certified lead evaluator to conduct a full LIRA. If the local Department of Health only performed a lead risk assessment, the sub-grantee is required to send their procured DCA certified lead evaluator to conduct a full LIRA.

2. Grant Management Requirements

2.1. Grant Conditions and Stipulations

Sub-grantees selected through the RFP process must adhere to and comply with grant conditions and stipulations stated in Sections A, B, C and D of the grant agreement. Production goals must be met in accordance with Section C. Full spend-down of grant funds is required. Section C will provide targeted percentage required on spend down and production goals to be met. There are benchmarks indicated in Section C that will be utilized to measure and determine grant performance throughout the grant period. Additional benchmarks may be identified during the grant period as determined by NJDCA OLIEC .

2.2. Single Audits

Consistent with the requirements of the Single Audit Act of 1984, sub-grantee which receives DCA/OLIEC grants are required to have a single sub-grantee-wide annual audit which complies with the Standards for Audits of Governmental Organizations, Programs, Activities and Functions (Yellow Book) issued by the U.S. General Accounting Office.

Sub-grantee is required to submit a copy of the single audit directly to the Department of Community Affairs, Office of Auditing, at the time the audit is submitted to the cognizant sub-grantee.

2.3. Grant Reporting and Payments

This section is intended to provide guidance on the required and supplementary documentation to be submitted with Fiscal Monitoring and or Program Monitoring.

2.3.1. Advance Payment

As stated in Section A of the DCA Grant Agreement signed and executed by the sub-grantee, 35% advance payment may be processed upon execution of the grant agreement.

Unless otherwise stipulated by the Grant Agreement, a grant recipient that receives an advance payment must expense the advanced funds and submit a Fiscal Status Report (FSR) certifying the expensing of the advance payment before receiving reimbursement for expenses incurred. If it has been determined that the grantee is allowed to submit a FSR for reimbursement and did not apply available cash on hand, then the department, at its discretion, can decide the amount of cash on hand to apply. Such requirements shall be reflected in all Grant Agreements executed by the Department.

2.3.2. Method of Payment

Succeeding payments will be made on a reimbursement basis and contingent upon full expenditure of advance. No payment will be processed if the advance

is not fully expended and reported on SAGE unless sub-grantee has obtained a waiver from the OLIEC.

If sub-grantee is facing cash flow problems more frequent reimbursement requests (FSRs) can be submitted to assure cash flow for continual program operations and production.

FSR may not be submitted on the DCA SAGE without an approved DCA Unit Inspection Report and Lead Clearance Report for specified units. DCA Monitor will provide the sub-grantee with a signed Monitor's Inspection Report and HESWAP Monitor Inspection Form providing approval to submit the FSR on the DCA SAGE System. Any reports submitted on the DCA SAGE without the approval of the DCA Monitor will be automatically rejected.

DCA SAGE Payment Vouchers will be signed electronically. DCA SAGE will accept electronic signatures on a Payment Vouchers from anyone authorized by the Sub-Grantee with the status of Grant Administrator or Financial Officer.

Sub-grantee can still view, save and print both the FSR and Payment Voucher including the electronic signature, in PDF format.

2.3.3. Submission Timelines

Production invoices must be submitted in HESWAP the 10th business day of the month for completed units to be acknowledged on bi-monthly production goals.

FSRs must be submitted on DCA SAGE within 15 business days of receipt of the signed State Monitor's Final Inspection Report.

2.3.4. Required Documents

When submitting a FSR, sub-grantee must upload the following backup documentation on DCA SAGE in the "Summary" link of the Payment Voucher:

- Signed HESWAP Request for Payment and Statistical Report
- Signed DCA Monitor Inspection Report and HESWAP Monitor Inspection Form for failed units.
- Lead Clearance Exams (one for interior work and one for exterior work) for units to be reimbursed
- General Ledger reflecting expenditures reported on the FSR
- Check Register reflecting payables on expenditures reported on the FSR.
- Invoice and Proof of Payment (canceled check or bank statement showing charge) for all expenses

2.3.5. Benchmark and or Other Reports

Optional interim reports can be requested by the OLIEC. The request for these reports does not relieve the sub-grantee from its contractual obligation to submit required reports.

2.3.6. HESWAP and DCA SAGE Databases

Sub-grantees are required to have executed all budget revisions and amendments on DCA SAGE prior to requesting budget updates on the HESWAP system. Sub-grantees must ensure that budget balances on both DCA SAGE and HESWAP are reconciled monthly.

2.3.7. Final Report

A final report which demonstrates that all production has been completed and all funds have been expended must be submitted no later than 30 days following the final monthly period.

2.4 Grant Amendments/Revisions

As stated in the GENERAL TERMS AND CONDITIONS FOR ADMINISTERING A GRANT/LOAN, budget revisions and or amendments are permitted and must be requested by the Recipient and approved by the Department in writing when there is reason to believe a change will be necessary in the budget and/or agreement for any of the following reasons:

1. Direct and indirect budget line item transfers.
2. Budget category transfers.
3. Need to modify the period of availability of funds.
4. Changes in the project scope of services or objectives.
5. Changes in key personnel.
6. Need to sub grant, contract out or obtain the services of a third party to perform activities which are central to the purpose of the award.

The request including a justification must clearly indicate the activities and/or budget categories affected by the request for the proposed changes. Should the Department decide changes to the agreement are necessary, including any increase or decrease in the amount of compensation, a formal written amendment to the agreement will be executed between the Department and the Recipient. Once the amendment is executed, a copy must be attached to the original Grant/Loan Agreement.

3. Program Operations**3.1. Adequacy of Staff**

Effective administration of the HUD LBPHR Program at the local implementation level requires considerable skill and knowledge in a wide variety of subject areas. There are numerous methods available to meet these needs.

Sub-grantee may maintain direct hire work crews (employees) or may hire sub-contractors to complete all or part of the grant activities.

Whatever methods are used, it is the responsibility of the sub-grantee to ensure that sufficient expertise is available to operate the HUD LBPHR Program effectively. The number of full-time staff required for effective implementation is proportional to the size of the individual program. OLIEC may provide cross-training opportunities to facilitate the skills development of all HUD LBPHR Program personnel (State and Local sub-grantee).

OLIEC encourages an ongoing program of staff development to expand the abilities of everyone involved with the program at all levels. Operational duties currently beyond the abilities of regular full-time staff should be delegated to others (through sub-contracting, job-sharing, etc.) while the missing expertise is developed.

3.2. Client File Contents and Standardize File Format

Sub-grantees must maintain clients' files that demonstrate eligibility, identified lead abatement and healthy homes tactics, costs, final inspections, etc. All files presented to DCA State Monitors/HUD LBPHR Program Manager for review and approval must include documentation within every file for each client who receives services. Sub-grantee is required to certify that a sub-grantee representative has viewed the file and can attest that all required documents are found within the file. The Client File Content and Compliance Checklist must be placed on the inside cover of the file for review by a DCA State Monitor. A DCA State Monitor will randomly pick 25% of the files for a full review. See [Appendix](#) for Client File Content and Compliance Check List.

Sub-grantee is required to maintain current information concerning the contents of a client, in a file folder that either has individual sections or place separation tabs to note the different sections for: INTAKE, FIELD PAPERWORK, and ADDITIONAL DOCUMENTS REQUIRED IN SPECIFIC CASES.

Sub-grantee must maintain adequate records for each individual or family served under its HUD LPBHR contracts. A separate client file must be maintained for each client who receives program services. This file must always contain the following documents in ascending order (unless a specific exemption applies) and in the file section stated below. HUD LBPHR Program issued forms can be found in the [Appendix](#) and are to be used by all participating sub-grantees, under each sub-grantee's own letterhead. **These documents, other than the areas for sub-grantee letterhead, are not to be altered and are required in all client files when applicable.**

Section 1: Intake

This section must include documentation that will provide proof of eligibility and verification of income or categorical eligibility in accordance with Chapter 1 of this Policy Manual. Please refer to the Client File Content and Compliance Checklist found in the [Appendix](#) for required documents. The documents listed, required and found in the [Appendix](#) are inclusive of any additional documents deemed necessary or identified by the sub-grantee.

Client application must be completed and verified with the HUD LBPHR sub-grantee manager's (or the manager's designated agent's) signature.

Other listed documents are:

- ✓ Signed and Completed Application
- ✓ Photo Identification (Tenant, Homeowner, or Landlord)
- ✓ Household Eligibility Verification (50%/80%)
- ✓ Proof of Income Documentation (paystubs, tax documentation, social security income)
- ✓ Proof of Ownership/Residency
- ✓ Confidentiality Release for 3rd Party Reports
- ✓ "Confirmation of Receipt of Lead Pamphlet"
- ✓ Case Notes
- ✓ Landlord/Owner Agreement or Disclosure of Vacant Units (if applicable)
- ✓ Verified Deed
- ✓ Tax Receipts
- ✓ Insurance Declaration
- ✓ Tier II Environmental Review Documentation
- ✓ State Historic Preservation Documents if applicable
- ✓ Documentation of recent blood level tests of children under 6 or consent for testing
- ✓ Affidavit Documentation on non-consent of testing children under 6

Section 2: Field/Project Paperwork

The documentation required in this section of the Client File must demonstrate lead abatement and healthy homes process and or workflow. See Section 1.2 of this Chapter for the Lead Abatement and Healthy Homes Work Flow. These documents will include the following:

- ✓ Results of Initial Lead Test Swabs/Dust Sample
- ✓ Home Owner Participation Agreement
- ✓ Relocation Information/Agreement
- ✓ Relocation Analysis
- ✓ Change Orders
- ✓ Project Completion Documentation
- ✓ Invoices (Partial Payments and Final Payments)
- ✓ Match Documentation
- ✓ Lead Inspection/Risk Assessment Report
- ✓ Healthy Homes Inspection/Assessment and Healthy Homes Clearance Report
- ✓ Home Clearance Report
- ✓ Any Miscellaneous Lead Information
- ✓ On-going Maintenance Plan with sign off
- ✓ Scope of Work (Lead Work and Healthy Homes Work Specifications)
- ✓ In-House Cost Estimate
- ✓ Bidders List
- ✓ Request for Proposal
- ✓ All Original Bids
- ✓ Bid Opening Chart

- ✓ Pre-Construction Meeting
- ✓ Contractor Evaluation Criteria
- ✓ Intent to Award
- ✓ Occupant Protection Plan
- ✓ Monitoring Work Site Documentation
- ✓ Abatement Project Notification
- ✓ Notice to Proceed
- ✓ Building Permit
- ✓ Contractor Licenses/Worker Certificates
- ✓ Job Completion Photos
- ✓ Permits

Section 3: Additional Documents Required in Specific Cases

- ✓ If applicable, OLIEC Supervisor approval for exceeding Maximum Allowable Cost Per Unit Form.
- ✓ Services for Connected Applicant Documentation

3.3. Unresponsive Client Exception

If the client is unresponsive to legitimate requests to visit the home in order to perform an sub-grantee and or DCA final inspection, the sub-grantee must document the number of attempts made with dates of attempts (minimum of three phone calls required). The final procedure for attempting to contact the client would be in a letter format requesting client's response within 7 business days, sent via certified mail. The copy of the certified mail receipt must be retained in the file. If the client is still unresponsive the final inspection may be waived upon State Monitor review and acknowledgement that process mentioned above was followed.

3.4. Records Retention

Sub-grantees must retain records for 3 years on site and 7 years in storage after submitting the final expenditure report. Records must be maintained until completion of action on all litigation, claims, negotiations, or audits. For property and equipment, the retention period starts upon disposition of the property/equipment. (10 CFR 600.153 and NJ Records Retention Schedule)

3.5. Deferral Policy

Sub-grantee must postpone work when problems occur that cannot be remedied within the scope of allowable measures identified in the HUD LBPHR or other available grantee and sub-grantee funds. Major building rehabilitation and hazard (other than lead) work are beyond the scope of the program. Units must be deferred if necessary corrective work is beyond the scope of the program.

Clients must be notified in writing within 7 business days of the site visit wherein a determination was made to defer the project. The **“Deferral Notification Form”** can be found in the [Appendix](#) must include reason(s) for deferral, any testing results, and appeal rights. Sub-grantees are expected to make reasonable efforts on behalf of their clients to find alternative assistance when HUD LBPHR Program funds are unable to

address conditions that lead to deferral. When possible, the notice shall include a list of potential Agencies with funding designed to address the specific issue which precludes a client from participating.

Additional considerations that may lead to deferral shall include other good cause which includes any condition which may endanger the health and/or safety of the occupant, work crew, or subcontractor as determined by the DCA at its sole discretion (i.e., illegal activity, pets, animal waste, and hoarding).

Housing that is substandard or has health and safety issues that require a capital-intensive investment is beyond the scope of the HUD LBPHR Program. While this policy does not cover every scenario that may be encountered, it includes the most common issues that Sub-grantees must address when making a decision to defer a unit.

Structural Deficiencies includes but is not limited to the following: Foundation is compromised, or roof deficiencies exceed minor repairs.

Health Hazards, includes but is not limited to the following: Sewage problems, lack of plumbing, insect or rodent infestation, asbestos flaking and severe moisture problems.

Safety/Code Violations: Faulty electrical wiring or other issues documented by a local code inspector or public utility technician.

Uncooperative Clients: The client is uncooperative, abusive or threatening to the crew, subcontractors, auditors, inspectors or others who must work on or visit the home.

3.6. Re-Work

The sub-grantee must ensure to have obtained an approval on the “**Rework Approval Form**” prior to undertaking a Re-Work project. Re-work is allowed under the circumstances that lead work has been done to a property via the HUD LBPHR Program, and has been cleared and determined to be lead-free, but during the follow up lead dust wipe sampling, the dust wipe samples have positive readings of lead. The sub-grantee must have the DCA Certified Lead Evaluator conduct another Lead Risk Assessment of the property and the sub-grantee must address those risk areas that are identified on the Lead Risk Assessment Report. If the Lead Risk Assessment is completed and there are no lead risk factors (i.e. no chipping/peeling paint), the sub-grantee can conduct extensive cleaning with HEPA vacuum to remove the lead dust.

After the cleaning and/or the rework has been completed, the lead evaluator shall conduct a lead clearance exam.

3.7. Average Cost per Unit

The average cost per unit is \$20,000 per unit. This cost excludes administrative expense and sub-grantees’ costs of delivering the program .

3.8. Exceeding Maximum Allowable Cost per Unit

The sub-grantee is responsible for tracking and ensuring that the program average costs are maintained. Any job with a total cost exceeding \$20,000 must be approved by the NJDCA HUD LBPHR Program Manager and HUD Grant Technical Representative by submitting the “**Approval Form to Exceed Maximum Allowable Cost per Unit**”.

Procedure:

Approval form along with documents listed on the form must be submitted to the HUD LBPHR Program Manager along with the required supporting documentation listed in Section 7 “Cost Consideration” of Program Policies Chapter 1. HUD LBPHR Program Manager will be required to review for client eligibility and forward request to the HUD Grants Technical Representative for approval. Once the HUD Grants Technical Representative Approvals the request, the HUD LBPHR Program Manager will sign and approve the Request to Exceed.

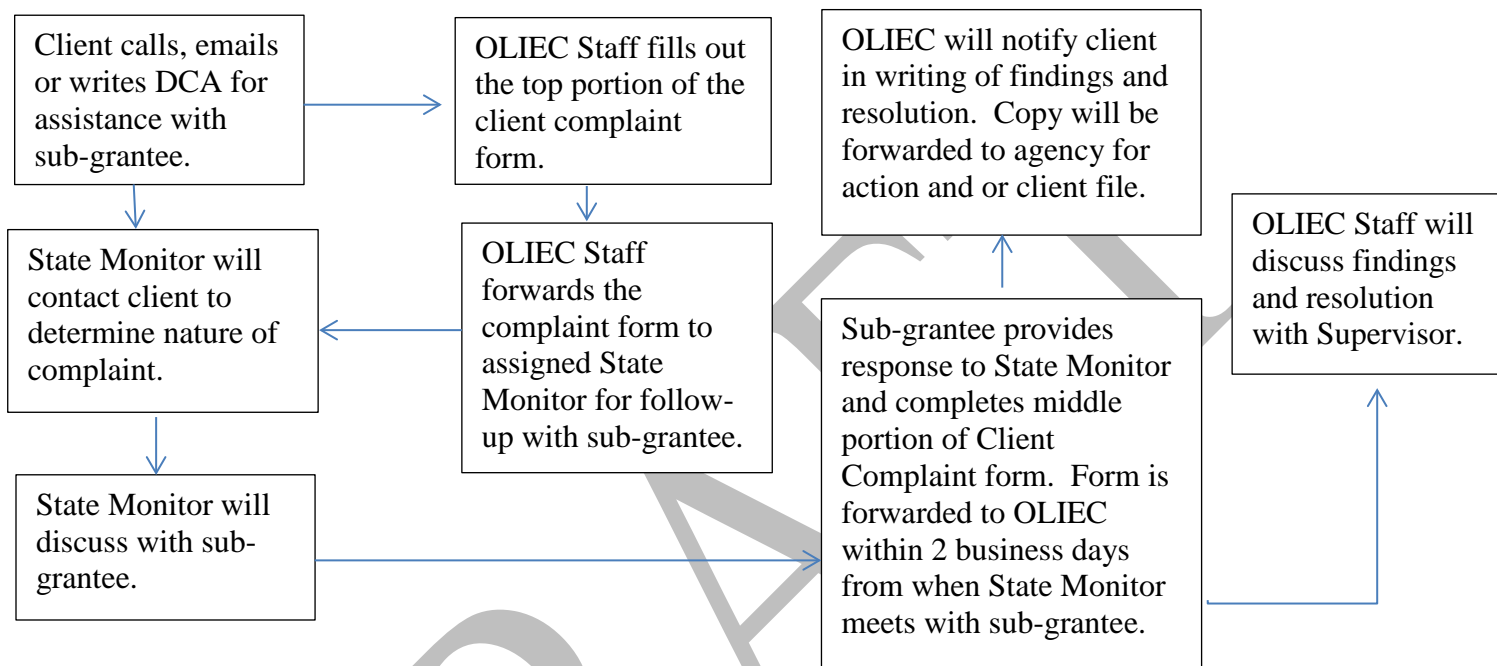
The Approval Form to “**Request to Exceed Maximum Allowable Cost per Unit**” can be found in the [Appendix](#) under Chapter 3.

3.9. Appeals Process

If a unit cannot be provided lead abatement, the applicant must be notified in writing and given the option to reapply if the problem is corrected. The applicant may appeal the decision with the OLIEC. OLIEC will review the situation and advise the sub-grantee and the applicant of the findings. If the deficiencies are corrected and the applicant re-applies, the sub-grantee will provide services as soon as possible, i.e., the client is not placed on waiting list.

3.10. Client Compliant Process

Sub-grantees must ensure that applicants are advised of their internal Compliant Process that will allow applicants to file formal complaints when necessary. Complaints can be filed with OLIEC when Sub-grantees are unable to resolve the matter with clients. Complaints filed with OLIEC by applicants/clients will follow the process charted below:



3.11. Local HUD LBPHR Program Closure Procedures

The following steps must be followed if the sub-grantee is to close due to internal sub-grantee decision or defunding decision by DCA:

1. Sub-grantee must officially, in writing, notify DCA of the Board's decision to close the HUD LBPHR Program.
2. Any advances not accounted for must be returned to DCA. Check must be made payable to the Treasurer, State of New Jersey within 10 business days of notifying DCA of program closure.
3. If there is an available balance remaining in grant(s), sub-grantee will process amendments on SAGE for closeout.
4. OLIEC will reconcile HESWAP and SAGE to ensure all funds are accounted for.
5. Sub-grantee must maintain clients in storage for a period of 7 years after the program end date. After seven years, the files can be destroyed.
8. Any open or not processed, client applications must be transferred to HUD LBPHR Program sub-grantee in the target area. If there are applications that are pending but not reflected in HESWAP, then those applications must be sent to OLIEC.

3.12. Temporary Relocation

The HUD LBPHR Program is a Federally funded program operating within the State of New Jersey, and thus must follow Federal regulations regarding temporary relocation set forth at “Uniform Relocation Act” (URA).

URA defines temporary relocation as “the tenant vacates their present residence and occupies a comparable dwelling during the rehabilitation or reconstruction of the housing unit”. Even though the URA says that “temporary relocation” should last no longer than 12 months, the HUD LBPHR Program allows for occupants to be temporarily relocated for a maximum of 10 calendar days.

The temporary relocation of the household(s) is a maximum of 10 calendar days, with the lead clearance being conducted at the latest on the 10th day. In the event that unusual and unforeseen circumstances arise, the sub-grantee must notify NJDCA and HUD LBPHR Program Manager immediately by the end of the 5th day. No request notifications after the 5th day will be accepted and no waivers will be allowed. HUD LBPHR Program Manager must seek approval from HUD for all extension requests.

There is no monetary maximum for temporary relocation expenses, but Sub-grantees must document in the client file that the most cost reasonable temporary housing was selected after soliciting quotes from local hotel/motel establishments.

There are two processes that Sub-grantees can choose from regarding temporarily relocating the occupants of the unit in the event that occupants are required to temporarily relocate due to the work scope. Those two processes are the Stipend/Compensation Process and the Physical Relocation Process. Sub-grantees must exhaust all options of the Physical Relocation Process before attempting the stipend process. In either process, NJ DCA does not approve any temporary relocation plans or stipend plans. It is the sub-grantee’s responsibility to ensure that the rates are within the allowable per diem rates. Any additional costs exceeding the allowable rates will be disallowed by NJDCA.

3.12.1. Stipend/Compensation Process

In this Stipend/Compensation Process, the sub-grantee must determine how much the household will be compensated to provide their own means of relocation and meals during the work period, based on the Federal Per Diem Rates. In this process, the sub-grantee will be directly compensating the household(s) to stay with family, friends, or find other means of temporary housing during the lead abatement

process. The stipend/compensation that the households are provided are for both temporary relocation per diem and the stipend for meals.

The sub-grantee is to utilize the General Service Administration's (GSA) Federal Per Diem Rates for the applicant's municipality. This can be found at the following link: <https://www.gsa.gov/perdiem>

3.12.2. Physical Relocation Process

The Physical Relocation Process requires that the sub-grantee provides temporary descent, safe, and sanitary (DSS) accommodations for the household(s) at or below the GSA's Federal Per Diem Rates for the specified applicant's municipality. The allowed DSS accommodation's pre-tax rate should not exceed the GSA's Federal Per Diem Rate. In addition to the sub-grantee providing DSS accommodations for the household, the sub-grantee must also provide a stipend for meals that are not already provided by the DSS accommodation per household member. For example, if the DSS temporary housing provided does provide free breakfast, then the compensation per household member would only reflect lunch and dinner. The compensation for meals must follow the Federal GSA Per Diem Rates, which can be found at <https://www.gsa.gov/perdiem>. The sub-grantee must utilize the correct per diem rate for the specific municipality. The per diem for meals is reflected as Meal and Incidental Expenses (M&IE), which shows a dollar amount. The M&IE is the cap dollar amount for meals per day. Because the M&IE ranges from \$51 to \$74 per day, the designated amount for the specific municipality must be used. Those breakdowns of breakfast, lunch, dinner and incidentals can be found at <https://gsa.gov/portal/content/101518>

3.13. Resident Protection and Worksite Preparation

Many forms of paint-disturbing work, including renovation, maintenance, and rehabilitation, as well as lead hazard controls, generate varying amounts of lead dust, paint chips, and other lead-contaminated materials. The sub-grantee must ensure that while lead work is performed on unit that the resident protection and worksite preparation guidelines are followed. The *HUD Guidelines for Evaluation and Control of Lead-Based Paint Hazards in Housing (2012 Edition)*, "Chapter 8 Resident Protection and Worksite Preparation" details the preparation measures that a lead contractor or sub-grantee crew should take in order to protect the residents of the unit. Not only do these protects help protect the residents, but it also protects the resident's belongings and expedites the clean-up process after completion of work.

The following hyperlink will direct the sub-grantee to the guidelines:

- [HUD Guidelines for Evaluation and Control of Lead-Based Paint Hazards in Housing \(2012 Edition\), “Chapter 8 Resident Protection and Worksite Preparation”](#)

3.14. Disposal of Lead Waste

Sub-grantees are to follow guidelines from the EPA regarding the disposal of the garbage/lead waste that is generated by the contractors while conducting lead abatement work. As per the EPA guidance, it states that “EPA’s policy statement allows contractor-generated LBP waste to be disposed of as household waste”.

The following hyperlink will direct the Sub-grantees to the guidance:

- [Regulatory Status of Waste Generated by Contractors and Residents from Lead-Based Paint Activities Conducted in Households \(August 2000\)](#)

3.15. HESWAP

3.15.1. Additional Measures

Any request to add a work measure in HESWAP must be submitted in writing to DCA with the approval of your assigned State Monitor.

3.15.2. Training Requests

Sub-grantees seeking training on HESWAP must complete the HESWAP Training Request form located on the webpage.

3.15.3. Duplicate Client from WAP

If a client has applied and/or received assistance from WAP, the sub-grantee is required to request that DCA unlock the duplicated client prior to building the client file in HESWAP.

For those sub-grantees that are not the WAP sub-grantee for the county, DCA shall ensure that any weatherization work is to be completed prior to releasing the client to the HUD LBPHR Program sub-grantee in the area.

The sub-grantee should first enter the client in HESWAP with all of the information in the “Client Information Page”. Once the sub-grantee attempts to proceed to the next page, a message will appear notifying the sub-grantee that this client is a duplicate. The sub-grantee must click “Ok”. Once the sub-grantee clicks “Ok”, an email should be sent to the LeadSafeProgram@dca.nj.gov with the client ID, client name, and address to request that this duplicate client be unlocked. DCA will unlock the client for the sub-grantee and the sub-grantee can continue to enter the information in HESWAP.

3.15.4. Expired Client

If a client has not been served within a calendar year, HESWAP will automatically lock the record requiring recertification of the client record. The sub-grantee must update the certification field on the Client Information Screen to reflect the new recertification date.

3.16. Lead Remediation of Soil

Remediation of lead hazards in soil which are cost reasonable will be considered on a case by case basis. Sub-grantees are to submit requests in writing to DCA and provide the costs of the lead soil remediation measure and costs of the entire of the project.

3.17. Lead Clearance Exam Paid by Lead Abatement Contractor

Sub-grantees will receive reimbursements for one initial lead clearance exam and the first re-clearance exam. Any clearance exams beyond that will be the responsibility of the sub-grantee or if the sub-grantee decides, can pass on the expense to the Lead Abatement Contractor.

When the Lead Abatement Contractor is paying for additional clearance exams not covered by the HUD LBPHR Program, the Lead Abatement Contractor must select a DCA Certified Lead Evaluation Company.

3.18. Window Energy Specifications (U-Value and Bathroom Window Required Specifications)

When replacing windows, sub-grantees are required to meet the required NJ DCA set window energy specifications. NJ DCA is requiring windows to have a maximum U-factor of 0.30.

When the bathroom window is being replaced, sub-grantees are to ensure that the replacement bathroom windows are frosted windows.

3.19. Storm Windows

Due to the potential of the replaced windows warping from drastic temperature changes, if windows are being replaced, the existing storm window is to be removed. The removal of the storm window protects the investment that is being made into the property.

If the client refuses or does not agree to have the storm windows removed if the windows are being replaced, then the project will have to be deferred.