



Lead Grant Assistance Program (LGAP) Guidelines

Fiscal Year 2023

**State of New Jersey
Philip D. Murphy, Governor**

**Department of Community Affairs
Lt. Governor Sheila Y. Oliver, Commissioner**

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INTRODUCTION

In 2021, the Legislature enacted P.L. 2021, c. 182. This law, which became effective as of July 22, 2022, requires inspections at stipulated times of certain single-family, two-family, and multiple dwelling rental dwelling units for lead-based paint hazards. Municipalities that maintain a permanent local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, must conduct the inspections. Municipalities that do not maintain such an office may hire a lead evaluation contractor certified by the Department of Community Affairs (DCA) directly or through the use of a shared services agreement as permitted by law.

The exact type of inspection (whether a visual inspection or a dust wipe sampling) depends on Department of Health data as to the elevated blood lead level in children, six years of age or younger, who are tested within the municipality. Where an inspection reveals the existence of a lead-based paint hazard, the building owner must perform appropriate remediation. More detailed information on this law may be found in the guidelines for Lead-Based Paint in Rental Dwellings, posted on the DCA website: (<https://www.nj.gov/dca/divisions/codes/resources/leadpaint.html>), and also in DCA's proposed regulations, published in the New Jersey Register at 54 N.J.R. 1355, July 18, 2022.

PROGRAM OVERVIEW

Pursuant to Section 9 of P.L. 2021, c. 182, “[t]here is appropriated from the General Fund to [DCA] the sum of \$3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16).” There has also been a re-appropriation of \$3,900,000 for FY 2023. DCA has determined to allocate \$7,000,000 of these funds to the newly created Lead Grant Assistance Program (“LGAP”) to assist New Jersey municipalities with costs associated with compliance under P.L. 2021, c. 182.

Beginning May 15, 2023, the Division of Local Government Services (DLGS), within the DCA, will begin administration of the LGAP. Under this program, DCA has pre-calculated award

amounts for each eligible municipality based on its relative number of renter-occupied one and two-family housing units constructed before 1980, as reported by property owners to the Census Bureau in the American Community Survey from 2017 to 2021. Please note that all awards are subject to the continuing availability of appropriated funds.

GRANT ALLOCATION METHODOLOGY

On October 6, 2022, DLGS as part of the DLGS Best Practices Inventory¹, requested each municipality to answer whether the municipality would be interested in receiving this funding. Municipalities responded with yes or no. Some did not respond at all. Based on this, DCA determined to provide funding only to municipalities that either responded affirmatively or failed to indicate whether they would be interested in receiving this funding and take the further steps required to receive the grant. Municipalities that indicated they would not be interested in this funding will not be eligible for funding for this current round of funding under the LGAP program.

Grant allocation estimates have been determined for each such eligible municipality based on the number of renter-occupied one and two-family housing units constructed before 1980, as reported by property owners to the Census Bureau in the American Community Survey from 2017 to 2021. These units closely align with the type of properties subject to inspection under P.L 2021, c. 182.

To advertise the program, DLGS will send a notice to all eligible municipalities, publish on its website a standard grant agreement, sample resolution language to be used by a municipality's governing body to authorize the execution of the grant agreement, and a list of the pre-determined funding available to eligible municipalities to be inputted by the municipality into the grant agreement.

¹ See LFN [2022-17.pdf \(nj.gov\)](#) for further information.

PERMISSABLE USES OF GRANT FUNDS

Municipalities may utilize the funds for compliance with P.L. 2021, c. 182. Specifically, funds may be used for:

- Hiring and training of municipal personnel who will perform inspections for lead-based paint hazards in rental units subject to P.L. 2021, c. 182 (including Lead Inspector/Risk Assessor training costs as well as HUD dust-wipe training courses).
- If permitted under P.L. 2021, c. 182, payment of an appropriate lead evaluation contractor or payment to another municipality in an appropriate shared service agreement.
- Personnel costs attributable to lead-based paint hazard inspections by existing employees.
- Materials and supplies required for carrying out such inspections, such as for dust wipe sampling.
- Communications materials and mailings to known and potential property owners subject to inspection, including those intended to identify owners of single and two-family rental units.

NON PERMISSABLE USES OF GRANT FUNDS INCLUDES BUT IS NOT LIMITED

TO:

- Human Resource services for the hiring of lead inspectors.
- Municipal building operating costs.
- Municipal finance department staff costs for required reporting activities.
- Any related professional services such as the hiring of a marketing contractor, consultant or legal services associated with compliance under the Act.

APPLICANT ELIGIBILITY

Applicant eligibility and amounts are pre-determined based from municipality interest shown in the CY 2022 Best Practices Survey.

PROGRAM ELIGIBILITY CRITERIA

To qualify for Lead Grant Assistance Program funding, each eligible applicant must:

- Submit a governing body resolution (using DLGS’s sample language) acknowledging participation in the program and further authorizing the execution of a grant agreement and compliance to the terms and conditions of the agreement.
- Submit a Lead Grant Assistance Program grant agreement signed by an authorized official. Grantees are to fill in the municipality’s 4-digit Muni-code as the grant agreement number.

SUBMISSION REQUIREMENTS

Municipalities are required to submit the governing body authorized Resolution and signed Grant Agreement in PDF format and with the following file name format:

4-digit Muni Code_Municipality Name_ LGAP_ Resolution.pdf

4-digit Muni Code_Municipality Name_ LGAP_ Agreement.pdf

Example: 0811_Monroe Township_ LGAP_ Resolution.pdf

0811_Monroe Township_ LGAP_ Agreement.pdf

Files are to be submitted in one (1) email to LGAP@dca.nj.gov with subject line reading:

4-digit Muni Code_Municipality Name_ LGAP

**Files submitted with incorrect file names will be rejected.

GRANT ELIGIBILITY PERIOD

Only expenditures incurred between January 1, 2023 through December 31, 2023 are eligible under the grant.

DISBURSMENT OF GRANT FUNDS

Grant funds will be disbursed upon receipt of the grantee's governing body resolution and executed grant agreement.

GRANT FUNDING SUPPORTING DOCUMENTATION

Grantees are to provide supporting documentation of eligible expenses during the period of January 1, 2023 through December 31, 2023 no later than January 15, 2024. Supporting documentation includes but is not limited to:

- Employee Cumulative Payment Registers or Pay Stubs.
- Purchase Orders, Vendor Invoices, and cancelled checks (front and back).

GRANT CLOSEOUT PROCESS – PROGRESS REPORTING

At the conclusion of the approved grant period, municipalities that receive funding will also be required to submit one final progress report for the period of 1/1/2023 through 12/31/2023 by 1/15/2024 to the DLGS.

SUBMISSION DEADLINE

DLGS must be in receipt of one electronic copy of the completed resolution and executed grant agreement by 5:00 P.M. EST on 7/7/2023 for the grantee to be eligible for grant funding.

Incomplete submissions will not be considered for funding. Submissions received after 5:00 P.M. on 7/7/2023 will be rejected.

Municipalities will be notified of acceptance or denial on or about July 30, 2023.

ASSISTANCE

Questions regarding this program can be submitted via e-mail to: lgap@dca.nj.gov or may contact Tiziana Johnston (609) 913-4407.