

**CITY OF NEW HAVEN**  
**COMMUNITY SERVICE ADMINISTRATION**  
**DEPARTMENT OF HEALTH**  
**BUREAU OF ENVIRONMENTAL HEALTH**  
 54 Meadow Street - 9<sup>TH</sup> Floor • New Haven • Connecticut 06519  
 Phone 203-946-8174 • Fax 203-946-6509



TONI N. HARP  
MAYOR

DR. BYRON KENNEDY, MD, PhD, MPH  
DIRECTOR OF HEALTH

November 30, 2016  
 Edgewood Village, Inc.  
 Daniel Greer, President  
 P.O. Box 3389  
 New Haven, CT

Receipt # 115937



Instr # 2016-10918

**VOL 9509 PG 176**  
 12/07/2016 10:02:29 AM  
 6 Pages  
 NOTICE

Michael B. Smart City Clerk

CERTIFIED MAIL #7016 0910 0000 0887 7084

**RE: 157 Maple Street-3F, New Haven, CT**

Dear Mr. Daniel Greer:

On November 30, 2016 an inspection of the above referenced premises was made by Andrew Carnevale of this department.

Said inspection revealed the presence of toxic levels of lead in paint (intact and defective), i.e., paint containing more than 0.50 percent lead by dry weight as measured by atomic absorption spectrophotometer or lead at or above 1.0 milligrams per square centimeter of surface, including the dried paint film, as measured on site by x-ray fluorescence spectrum analyzer according to performance characteristic sheets, in the following locations:

**LEADED COMPONENTS**

**3F Bedroom A/Living Room**

1. Wall (Plaster), Side A, White	1.9
2. Wall (Plaster), Side A, White	1.4
3. Wall (Plaster), Side A, White	1.0
4. Wall (Plaster), Side A, White	1.5
5. Ceiling (Plaster), Side A, White	5.2
6. Baseboard, Side B, White	3.1
7. Baseboard, Side C, White	2.7
8. Baseboard, Side D, White	5.2
9. Door Casing, Side B, White	3.2
10. Door Casing, Side B, White	2.0
11. Door, Side B, White	2.3
12. Door Jamb, Side B, White	2.6
13. Closet Door, Side B, White	3.0
14. Closet Door Jamb, White	3.1
15. Door Casing, Side C, White	4.7
16. Door Jamb, Side C, White	4.0
17. Door Stop, Side C, White	3.9
18. Door, Side C, White	5.0
19. Door Casing, Side C, White	4.2
20. Closet Door, Side C, White	3.4
21. Closet Door Casing, Side C, White	4.7
22. Closet Door Jamb, Side C, White	3.2

**LEADED COMPONENTS**

**3F Bedroom A/Living Room**

23. Closet Door, Side D, White	3.4
24. Closet Door Casing, Side D, White	4.7
25. Closet Door Jamb, Side D, White	3.2
26. Window Sash, Side A, White	5.3
27. Window Jamb, Side A, White	2.6
28. Window Stop, Side A, White	3.8
29. Window Casing, Side A, White	5.3
30. Window Sash, Side A, White	2.6
31. Window Jamb, Side A, White	3.8
32. Window Stop, Side A, White	5.3
33. Window Casing, Side A, White	2.7
34. Window Sash, Side A, White	3.9
35. Window Jamb, Side A, White	3.2
36. Window Stop, Side A, White	3.8
37. Window Casing, Side A, White	2.7

**3F Kitchen**

38. Wall (Plaster), Side A, White	1.4
39. Wall (Plaster), Side B, White	1.0
40. Ceiling (Plaster), White	1.0
41. Closet Wall (Plaster), Side C, White	1.7
42. Closet Shelf Support, Side C, White	2.3
43. Window Jamb, Side D, White	3.6
44. Window Stop, Side D, White	2.8
45. Exterior Window Sash, Side D, White	4.8
46. Window Jamb, Side D, White	4.4
47. Window Stop, Side D, White	3.2
48. Exterior Window Sash, Side D, White	4.2

**3F Bedroom B**

49. Baseboard, Side A, White	1.8
50. Baseboard, Side C, White	1.7
51. Baseboard, Side D, White	2.5
52. Baseboard, Side D, White	2.8
53. Closet Door, Side D, White	1.8
54. Closet Door Casing, Side D, White	1.7
55. Closet Door Jamb, Side D, White	1.6
56. Closet Door, Side D, White	1.0
57. Closet Door Casing, Side D, White	3.2
58. Closet Door Jamb, Side D, White	3.4
59. Window Casing, Side B, White	2.7
60. Window Sill, Side B, White	2.9
61. Window Casing, Side B, White	2.9
62. Window Sill, Side B, White	3.1
63. Door, Side D, White	1.5
64. Door Casing, Side D, White	1.8
65. Door Jamb, Side D, White	1.5

**3F Bathroom Hallway**

66. Door Casing, Side A, White	1.9
67. Door, Side A, White	5.7
68. Door Jamb, Side A, White	1.0

**LEADED COMPONENTS**

**3F Bathroom Hallway**

69. Baseboard, Side B, White	1.0
70. Baseboard, Side D, White	3.3
71. Door Casing, Side C, White	2.0
72. Door Jamb, Side C, White	3.8
73. Door, Side C, White	2.5
74. Door Casing, Side D, White	2.2
75. Door Casing, Side D, White	2.9

**3F Bathroom**

76. Baseboard, Side A, White	
77. Baseboard, Side B, White	
78. Baseboard, Side C, White	
79. Baseboard, Side D, White	
80. Window Casing, Side C, White	2.9
81. Window Sill, Side C, White	3.1
82. Window Sash, Side C, White	2.0
83. Window Jamb, Side C, White	3.2
84. Window Stop, Side C, White	2.9
85. Door Casing, Side B, White	1.9
86. Door, Side B, White	2.4
87. Door Jamb, Side B, White	2.3
88. Wall, Side A	3.4
89. Wall Side B	2.8
90. Wall Side C	3.4
91. Wall, Side D	2.5
92. Ceiling, White	3.1

**3F Rear Landing**

93. Window Sash, Side C	Area Not Accessible; Assume Lead and Abate Accordingly
94. Window Jamb, Side C	Area Not Accessible; Assume Lead and Abate Accordingly
95. Window Stop, Side C	Area Not Accessible; Assume Lead and Abate Accordingly

**2F Rear Landing**

96. Exterior Window Sash, Side C, White	>9.9
97. Window Jamb, Side C, White	>9.9
98. Window Well, Side C, White	>9.9
99. Window Stop, Side C, White	>9.9

**3F Front Landing**

100. Exterior Window Sash, Side B, White	Area Not Accessible; Assume Lead and Abate Accordingly
102. Window Jamb, Side B, White	Area Not Accessible; Assume Lead and Abate Accordingly
103. Window Stop, Side B, White	Area Not Accessible; Assume Lead and Abate Accordingly

**2F Front Landing**

104. Exterior Window Sash, Side B, White	Area Not Accessible; Assume Lead and Abate Accordingly
105. Window Jamb, Side B, White	Area Not Accessible; Assume Lead and Abate Accordingly
106. Window Stop, Side B, White	Area Not Accessible; Assume Lead and Abate Accordingly

The Director of Health has determined that the presence of such lead-based paint and chipped and flaking paint constitutes health hazards. Since there are one or more children with an elevated blood lead level residing on the premises, the aforementioned conditions constitute grounds for issuance of this Order pursuant to General Statutes 19a-111 and 19a-111-2 (c) of the Public Health Code and are a violation of Chapter 16, Article III of the New Haven Code of Ordinances, Section 16-63, Maintenance; Section 16-64, Hazardous Conditions, Subsections 1, 2, and 3.

As owner/agent-manager of the above referenced premises you are hereby **ordered** to remedy these conditions. You must commence within seven (7) days from receipt of this letter and fully comply with the provisions of the Lead Paint code of the City of New Haven within **thirty (30) days**. A re-inspection will be made at that time.

You are additionally required to submit to Andrew Carnevale a written lead abatement plan **within five (5) days** from receipt of this letter. The abatement work is not to begin until an abatement plan written by you has been reviewed and approved by this department. This plan shall describe repair work necessary prior to abatement, the methods to be utilized to abate all areas requiring abatement, occupant protection, work-site containment, clean up procedures, and a waste disposal plan. An abbreviated version of an abatement plan has been provided as a guide.

Notices of toxic levels of lead must be posted by you at each entrance to the dwelling unit or common area if affected **within two (2) working days** from receipt of this letter. The notice entitled "Warning Notice Toxic Lead Levels" included with this letter is a State Department of Public Health form that may be used for this purpose. The notices are not to be removed until the dwelling unit reaches compliance with this letter.

**The above stated violations must be corrected as follows:**

All holes and cracks in walls and/or ceiling must be repaired in such a manner as to create a smooth, durable, non-broken surface.

All chipped and flaking paint, where ever it exists, must be thoroughly scraped and removed.

All doors, door jambs ( to include entire door system), windows (to include sills, sashes, casings, and other parts of system), baseboards, walls, etc. which contain a lead hazard must be stripped to the base surface, and all chipped and flaking paint removed to the base surface.

In lieu of removal of paint, all violations may be covered with an approved, durable, non-lead material so as to make the area inaccessible to children.

The sample locations reported beginning from the first page of this letter are indicative of the lead content of similar painted surfaces found within each room or site, i.e., they are representative samples. All such surfaces painted with a lead-based paint are to be properly abated or encapsulated. Repainting a surface with a non-lead paint without the complete removal of existing lead-based paint shall not be considered satisfactory compliance with the law. ***The methods used in eliminating the cited health hazards must be approved by this office prior to commencement of work. Upon removal of this hazardous paint and prior to repainting, this office must be notified and shall then verify complete removal. As of 6 January 1996, any abatement work contracted by you must be done by a licensed lead abatement contractor.***

This order is made pursuant to the authority vested in the Director of Health by Section 19a-200 of the Connecticut General Statutes and Section 16-64 of the New Haven Code of Ordinances. Compliance

with these orders is the ultimate responsibility of the owner/agent -manager and must not be delegated to the occupant-tenant.

Any children who occupy the apartment in question are to be excluded from the work-site/apartment while the lead paint abatement efforts are being performed and are not to re-enter the site until all paint chips, dust, and debris have been completely and safely cleaned from the area. In addition, all surfaces

(ceilings, walls, floors, moldings, etc.) are to be thoroughly and completely washed with a high-phosphate solution. This is also the responsibility of the owner-agent. It is imperative that the health of the child not be further jeopardized by allowing access to lead paint chips, lead containing dust, and/or lead paint fumes.

Failure to comply with the above stated orders will subject you to prosecution as provided in the Connecticut General Statutes and/or city of New Haven Code of Ordinances.

**No dwelling unit which is in violation of Article III, entitled "Lead Paint," shall be re-rented to a new tenant until repairs acceptable to the Director of Health have been made in compliance with the provisions of said article.**

The Federal Residential Lead-Based Paint Hazard Reduction Act, 42 U.S.C. 485d, requires sellers and landlords of most residential housing units built before 1978 to disclose all available records and reports concerning lead-based paint and/or lead-based paint hazards, *including the test results contained in this notice*, to purchasers and tenants at the time of sale or lease or upon lease renewal. This disclosure must occur even if hazard reduction or abatement has been completed. Failure to disclose these test results is a violation of the United States Department of Housing and Urban Development and the United States Environmental Protection Agency regulations at 24 CFR part 35 and 40 CFR Part 745 and can result in a fine of up to \$11,000 per violation. To find out more information about our obligations under federal lead-based paint requirements call 1-800-424-LEAD (5323).

**RIGHT OF APPEAL:** Pursuant to Connecticut General Statutes section 19a-229 as amended from time to time, any person aggrieved by an order issued by the city's health director may appeal to the Commissioner of Public Health not later than three (3) business days after the date of such person's receipt of such order. The commissioner shall thereupon immediately notify the health director, and examine into the merits of such case, the commissioner may vacate, modify or affirm such challenged order.

There are **two** ways to appeal this order; both methods require action **not later than three business days after you receive the Order.**

- (1) You may appeal the decision by delivering your written appeal to the Department no later than three (3) business days after you receive the Order. You may deliver it to the Department either in person or by facsimile. The Department's address and facsimile number are:

**Department of Public Health  
Public Health Hearing Office  
410 Capitol Avenue  
Hartford, CT  
Facsimile: (860) 509-7553**

If you choose this method of appeal, you need to do nothing more to perfect your appeal, unless instructed otherwise by the Department.

- (2) You may also appeal the Order by **calling the Department not later than three business days after receipt of the Order** at one of the following numbers: **(860) 509-7648 or (888) 891- 9177**. If you call on a weekend or after business hours, it is sufficient to leave a message with your name, number and a description of the Order you are appealing.

If you appeal the Order by calling one of the telephone numbers listed above, **the telephone call must be followed up with a written notice of appeal that must be received by the Department within ten days of the telephonic notice.**

**PLEASE NOTE:** It is *not* sufficient that the written notification be postmarked within ten days. It must be **received by the Department within ten days**. Delays caused by the Postal Service will not excuse failure to comply with this requirement.

The written notice of appeal following the telephonic notice may be delivered to the Department in person, by facsimile, or by first class or certified mail. The Department address and facsimile number are provided above. If you choose to send the written notice of appeal by first class mail or certified mail, please use the addresses provided below.

**First Class Mail:** Send written appeals by first class mail to the following address:

**Department of Public Health  
Public Health Hearing Office  
410 Capitol Avenue, MS 13 PHO  
P.O. Box 340308  
Hartford, CT 06134-0308**

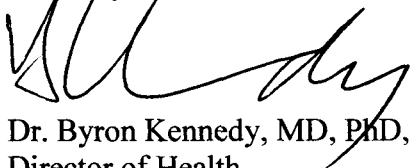
**Certified Mail:** Send written appeals by certified mail to the following address:

**Department of Public Health  
Public Health Hearing Office  
410 Capitol Avenue, MS 13 PHO  
Hartford, CT 06106**

Telephonic communication of a notice of appeal is satisfactory as an initial notice provided written communication of the appeal is received within ten days of the oral notice.

Please direct any inquiries to Andrew Carnevale at 475-202-2732.

Sincerely,



Dr. Byron Kennedy, MD, PhD, MPH  
Director of Health

BK: AC

cc: City Town Clerk  
Tenant

12/07/2016 10:02:29 AM  
Michael B. Smart City Clerk  
City of New Haven