

## **Opponent Testimony for HB 280**

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Chairman Roemer, Vice Chairman Lorenz, Ranking Member Troy, and esteemed representatives- thank you for allowing me to testify on House Bill 280, which seeks to expand the use of the Lead Abatement Tax Credit and ensure that municipalities that implement a lead safe certificate program do not make the process of compliance overly burdensome for their property owners and taxpayers.

While on the surface, this appears to be a noble purpose, digging more deeply into the bill yields grave concerns for Ohio's lead safe ordinances overall.

- HB280 allows a clearance technician or a lead risk assessor to conduct interim controls and to charge a fee for the performance of the interim controls. We find this to be a conflict of interest, this appears to be contrary to HUD'S guidance on the subject, which considers it a conflict for the same contractor conducting the clearance exam to perform interim controls. This undermines the integrity of the Clearance exam, is a conflict of interest, and creates the risk that homes receiving the lead clearance may not actually be lead safe. We do not support the test taker also being the test evaluator.
- The bill also states that any person who is denied a certification may re-submit an application by resubmitting lead test results up to 180 days after the county, township, or municipal corporation denies the certification. This provision effectively eliminates a city's ability to prosecute the lead safe ordinance. This ability to "stop the clock" on prosecutions will result in poor outcomes for children, as meaningful enforcement of lead safe ordinances will be thwarted. Children in these homes would remain vulnerable to lead poisoning.
- The City of Cleveland Heights recently passed a lead safe ordinance in 2022, this bill would cause major confusion with our ordinance and cause us to revise, change or overhaul our ordinance, therefore delaying lead safe rules and causing more children to remain in lead hazardous housing.