

To Whom It May Concern,

I take this opportunity to give an alternative viewpoint on the Toledo Lead Ordinance as it does and will affect me, an owner of rental property in the city. It has been quite dismaying to watch the discussion in local media (The Toledo Blade,) meetings of City Council, and the Toledo-Lucas County Health Department move from a focus on decreasing the number of children with elevated lead levels toward an attitude that owners of 1-4 unit rental properties violate statutory and ethical standards, and as a class they should be targeted and punished. It was especially galling to hear Councilwoman Harper say, "Shame on you!" referring to 1-4 unit rental owners who stood against this unconstitutional ordinance. People who back the ordinance state that it is "for the children" and while that is laudable, we have not yet seen the whole picture; research has been aimed at proving the need for the ordinance, not seeking all possible sources of lead contamination in Toledo.

First of all, appreciate that there is a difference between a property that is maintained and one that is not. A brief drive through Toledo will reveal plenty of properties in very poor condition, and a good number of rentals that are tidy and safe. I hear from many 1-4 unit rental owners who would welcome an opportunity to join forces with other concerned citizens to combat lead contamination in Toledo and Lucas County. That might have happened if City, County, and non-profits had looked for all possible sources of lead contamination and worked toward finding ways to decrease it. Instead, they chose a narrow focus, singling out a group (1-4 unit rentals) and abandoning further inquiry into lead sources.

There are statutes on the books for prompting owners to keep properties clean and safe, but there is a lack of follow-through by City and County for such owners. How well are they doing? Not well. On Chestnut near Weber a derelict and inadequately boarded property stood for more than 3 years; in that time, it was used as shelter for drug elements and rodents in the neighborhood. Last week, it was at last torn down by Land Bank. At 409 Kenilworth stands a duplex acquired in 2012; in that time the house has deteriorated markedly; a tattered tarp flaps on the failing roof, peeling paint goes without saying, and the owner owes over \$4,000 in taxes unpaid since 2012.

Common wisdom says one of the problems for local government is out of town rental owners who may never have seen the property, and may or may not approve funds for local managers to maintain the building properly. Not only does this happen, but these same out of town owners have not received information about the lead ordinance, and their willingness to comply with lead statues is in doubt.

I wonder if you can understand how scary it is for conscientious rental owners to be targeted in this way. First of all, the Ordinance has changed at least twice now, and the promised education has been scanty. In researching the ordinances in other cities, I found that "legislative creep" can happen; that's when a single ordinance expands over time to regulate a lot more than originally intended. The primary concern is that a lead inspection will eventually become an occupancy certification requirement encompassing far more than paint and dust. What I hear from rental owners who would comply is a fear of failing the dust wipe test--which leads to another expensive test in 3 years. I think Section 8 offers a better model for the inspection process because re-inspection is allowed without recrimination.

Last, in the rush to pass a lead ordinance and punish a class of rental owners, a lot has been left out. No plan has been made to provide for those who will be displaced from rental housing, and I expect this to occur among properties that remain in service, and those that are sold due to the lead ordinance. A common website for information has been attempted, but has not been fully implemented, making it difficult to get the full story on what is expected of owners. There was no provision made for properties standing in the Old West End historic district; some take this to mean no variance will be given, and their properties will become worthless as rentals. A few tenants have been displaced already, and we can expect to see more as the ordinance goes into effect. I said just a minute ago that out of town rental owners have become a problem; inciting local owners (who know about the ordinance) to sell their rentals will result in more unmanageable out of town owners, and less compliance with the ordinance, not more.

If the state of Ohio is to go forward to enact lead laws that take precedence over a patchwork of local ordinances, I hope you will start with questions and do your research, then work with all groups to make Ohio cleaner and safer for all citizens.