

Wednesday, June 9: Lead Safe New Jersey

Doing Better at our Primary Mission – Protecting Kids



isles.org/forum



Doing Better at our
Primary Mission:
PROTECTING KIDS

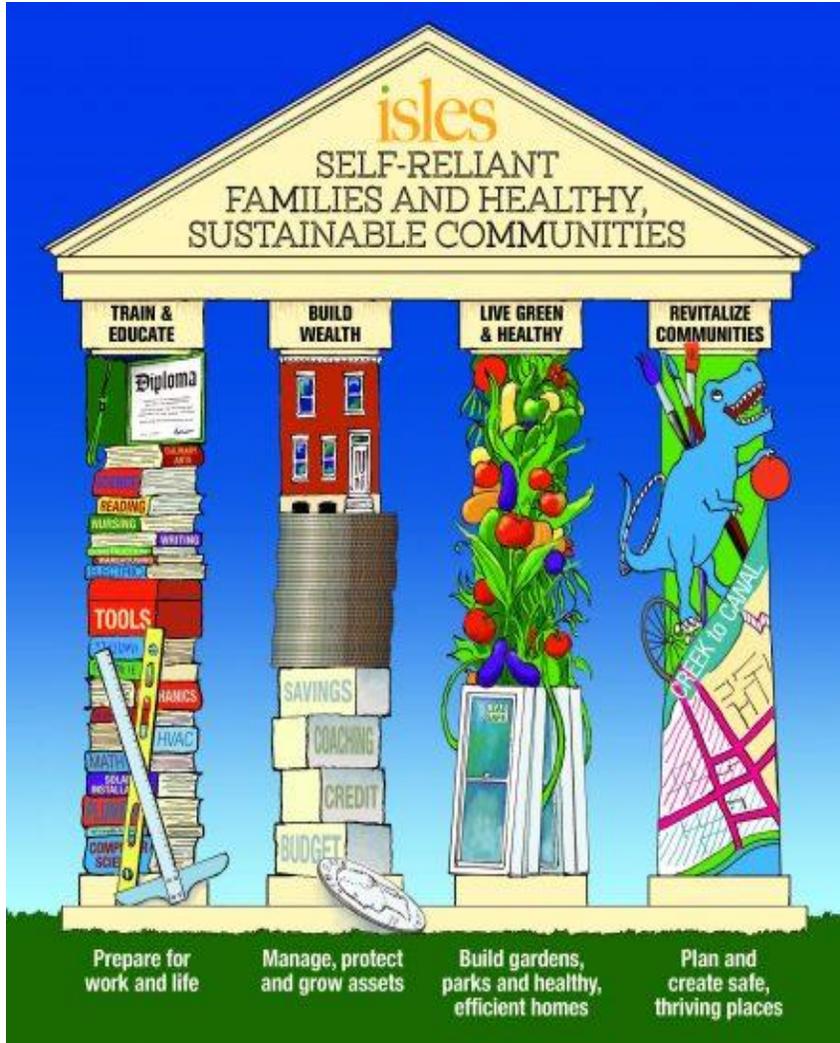
Isles 40th Anniversary Forum

**Elyse Pivnick, Senior Director of Environmental
Health**

June 9, 2021



Isles Mission



Founded in 1981, Isles is a community development and environmental organization based in the Trenton, New Jersey region with a mission to foster self-reliant families and healthy, sustainable communities.

Isles:

- **revitalizes communities** by working alongside local residents to plan their neighborhoods' future and to develop energy efficient, affordable and healthy homes, parks, gardens, shared facilities, and more
- **trains and educates** adults and youth through an alternative high school, green job training center and family support services
- **builds wealth** through innovative financial services and loans that help restore credit and increase savings
- **promotes healthy living** by tackling environmental hazards, fostering energy efficiency, improving open space, and expanding access to locally grown food

NYT Quote of the Day

“If you were going to put something in a population to keep them down for generations to come, it would be lead.”

(NYT January 30, 2016)

Dr. Mona Hanna-Attisha, of Flint MI, who has studied lead poisoning and the effects of lead exposure, for which there is no cure.



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Lead, Race and Inequality

Lead toxicity ...is a pathway through which racial inequality literally gets into the body.

Dr. Robert Sampson, Harvard Researcher. 2016
https://scholar.harvard.edu/files/alixwinter/files/sampson_winter_2016.pdf



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Legacy of Lead Paint



Robs a child of their potential in life

Dangers of Lead Exposure

- Lead poisoning remains the **#1 environmental threat** to the health of America's children, as well as a health risk for people of all ages.
- Lead is so toxic that it is unsafe at any level.



Toxic

Lead Exposure is Cumulative

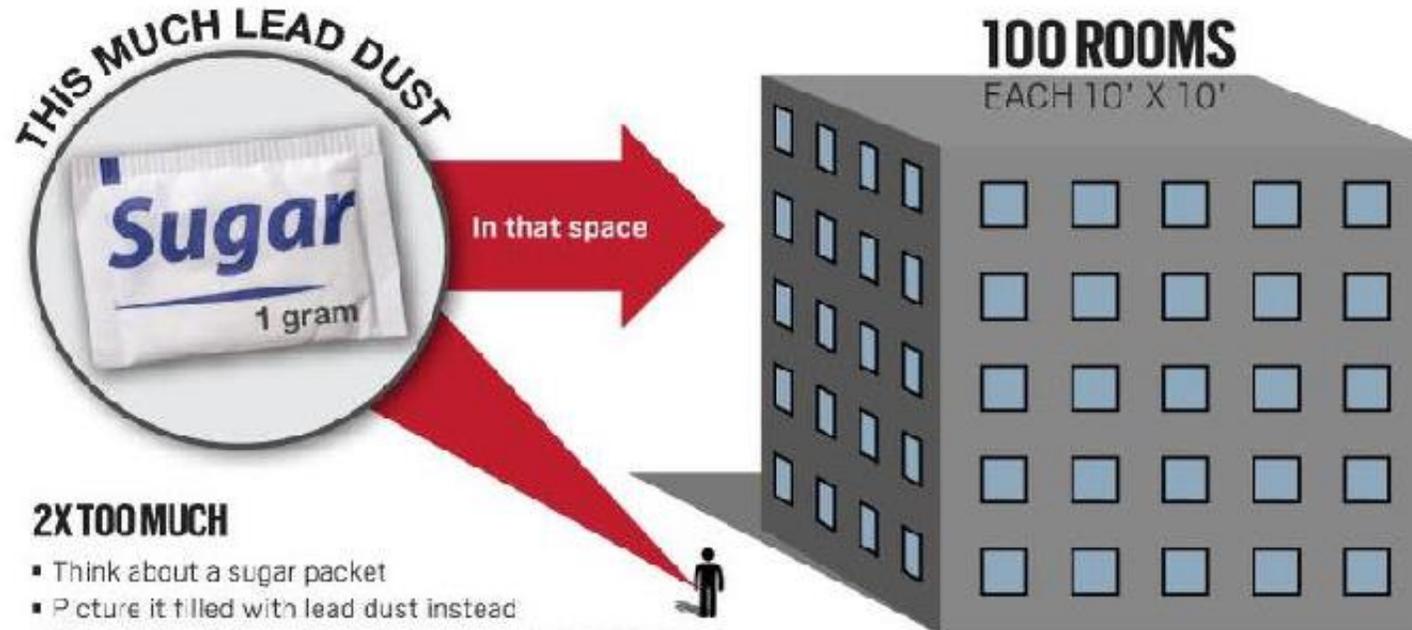
It typically comes from these main sources



How Much Lead Dust?

HOW MUCH LEAD IS DANGEROUS?

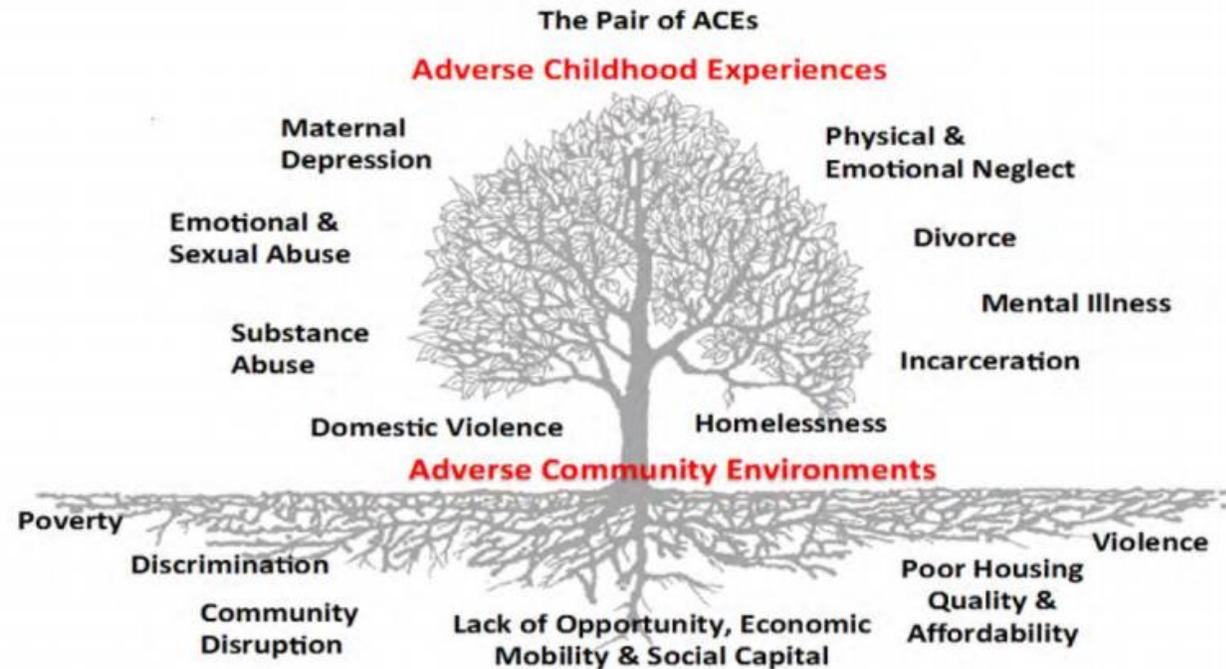
Even low levels of lead exposure can damage the nervous system, and high levels of exposure can lead to coma or death. The Centers for Disease Control and Prevention say there is no safe blood lead level in children. Paint containing lead can deteriorate or chip, leaving traces of lead dust at dangerous levels.



2X TOO MUCH

- Think about a sugar packet
- Picture it filled with lead dust instead
- Spread that little packet equally through 100 10x10 rooms
- That amount of lead dust in each room would still be two times higher than the federal hazard level.

Adverse Childhood Experiences Adverse Community Environments Social Determinants of Health



Ellis, W., Dietz, W. (2017) A New Framework for Addressing Adverse Childhood and Community Experiences: The Building Community Resilience (BCR) Model. *Academic Pediatrics*. 17 (2017) pp. S86-S93. DOI information: 10.1016/j.acap.2016.12.011

Important to Know

- About 80% of NJ housing was built before 1978—the year lead was removed from new house paint
- In 2019, about 4,000 children in New Jersey had lead level of 5 $\mu\text{g}/\text{dL}$ or greater for the first time
- About 225,000 young kids in New Jersey have been poisoned by lead since 2000.
- Elevated BLL: Nationally, 36% of inner-city black children vs 4% for suburban white children
- Forgotten in child development and education reform- **My Brothers Keeper**



Lead Poisoning & School Performance

- Compromised long-term memory---for example, a student can't recall multiplication tables from one day to next
- Reduced auditory processing makes it difficult, for example, to hear the difference between "s" and "f" impeding the ability to read
- Inability to control behavior
- Inability to learn no matter how hard a child tries
- Disruption in classrooms by children frustrated by their failure to learn make it difficult for *other* children to learn.
- Lower test scores for individuals and entire school districts that have a disproportionate number of children with lead poisoning
- Disproportionate number of low-income males incarcerated, unemployed and aimless



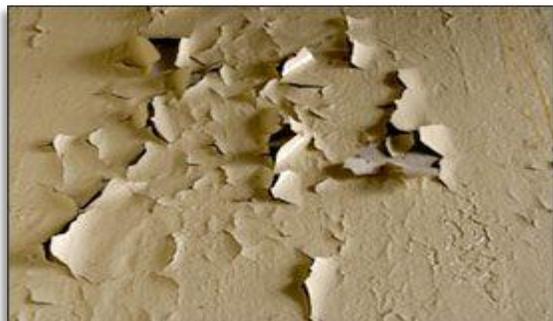
School Suspensions, Juvenile Detention and Lead Poisoning

- Children with higher exposure to lead are **more likely to misbehave** in school and do worse academically.
- Children with EBL **7X more likely to be suspended** from school
- Suspended children were also **10X more likely to end up in juvenile detention**.
- Relationship between lead and suspensions was much stronger for kids who received free lunches suggesting its **interconnection with poverty**

Currie and Aizer, 2017



Sources of Lead Exposure: Paint/Dust



Lead Connection to Housing Paint, Water, Soil, Toys, Cultural



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Self-Reliant Communities

Doing Better: Housing Code Enforcement

- Today's housing codes originated over a century ago in the sanitation movement to combat health problems such as cholera, tuberculosis, and typhoid





Most Housing Codes

- Housing and health sectors are typically governed by separate, fragmented, and isolated systems.
- Enforcement is complaint-based.
- Housing-related lead problems referred to local health departments instead of using the housing code process to identify and correct lead and healthy homes problems.
- Lead hazards are only identified AFTER a child is poisoned
- No prevention. Misses most substandard housing.

BETTER: Proactive Rental Inspection (PRI)

A **proactive inspection** is an **inspection** carried out prior to a complaint or request for service being received.

National models in places like Cleveland, Rochester, Detroit, Maryland, and Rhode Island---jurisdictions begin to weaponize their housing codes in the fight against lead poisoning.

PRIs have proven to be more effective in protecting tenants' health and safety.



BETTER:
Proactive Rental
Inspection (PRI)

- Inspections of rental properties are mandatory and periodic.
- Benefit tenants by ensuring that all rental housing is inspected without requiring tenants to make complaints.





Benefits of Pro-Active Housing Programs

- Vulnerable tenants---including low-income residents, the elderly, and non-English speaking---may live in the worst housing, but often don't make complaints about it.
- Tenants often do not know their rights or have difficulty navigating the enforcement code system. They also may fear that complaining will lead to increased rent or their eviction.
- Benefit surrounding neighborhoods and the broader community by ensuring that properties don't become blighted, so that property values are maintained and available housing stock is preserved. Maintaining property value preserves the local tax base.



+ Need a Strong Housing Code

- Require testing of deteriorated lead paint and dust as part of the rental permit to determine actual risk of lead hazards (or require a full risk assessment). .
 - Only visually examining paint is insufficient, because the lead content of deteriorated paint and dust cannot be seen by the naked eye.
- Require remediation of deteriorated lead-based paint using lead-safe work practices and clearance dust testing in all rental units in which young children reside, are expected to reside, or could reside or visit.
- Cities may need to increase the number of housing code inspectors to carry out this work.



+ Need Trained Inspectors

- Cross train housing code compliance officers to collect paint and dust samples properly as part of code inspections instead of only doing so after a child has already been exposed.
- Train all professionals who work with vulnerable families in their homes.
- Code compliance model: code enforcement officer works cooperatively with property owners
- Code violation notices should include deteriorated lead-based paint and elevated dust lead levels.



Encourage Collaboration

- **Create Lead Safe Advisory Committee:** changes to the code and seek comment from tenants, landlords, property owners, public health officials, educators, and other members of the public.
- **Facilitate data sharing** between the city and the county health department, and housing agencies.

+ Need Public Support & Research

- **Public education efforts** should include the importance of deteriorated lead-based paint and the contaminated dust and soil it generates.
- Cities should **evaluate** the results of code changes by documenting changes in housing quality, compliance time, complaints, and childhood blood lead levels.
- Work with **community-based programs** to expand capacity to make home repairs, educate landlords and residents.
- To achieve these goals, cities may need to **increase funding** and capacity for code compliance.

City of Rochester



- Housing inspections typically occur every three years. To receive a certificate of occupancy, property owners must correct any identified lead hazard violations. Code inspectors examine paint condition and if it is intact, then they will collect dust wipe samples to ensure the home is safe for children.
- If paint is not intact, lead-safe work practices must be used, followed by dust testing to ensure cleanup is adequate (unless the home has been found to be free of lead-based paint).
- Cross training of inspectors—housing and lead
- The city maintains an online database of all “lead-safe” units and properties granted a certificate.
- The code does not appear to have significantly impacted the housing market
- Landlords have now accepted it as a routine cost of business.
- Data show that blood lead levels in Rochester improved nearly twice as fast compared to the rest of the state.
- The frequency of violations has declined in recent years, as landlords know what to expect.

Cleveland

GOAL: Lead safe in 10 years..."one of the more robust..."

- Deep engagement between grassroots and community groups, landlords and realtors, the philanthropic community, educational and medical institutions, as well as public agencies
- Lead safe certificate requires a clearance examination report or lead risk assessment for all rental units built before 1978.
- [Prohibits various activities](#) causing lead hazards, including renovation without complying with lead-safe work practice or activities that circumvent the inspection and disclosure requirements.
- The "teeth": Certificate of Rental Registration can be revoked for any non-compliance with various aspects of the housing code.
- Workforce development
- Loans and grants
- Research and evaluation-----**Well funded! Well supported!**



Maryland



- Maryland's Reduction of Lead Risk in Housing law requires owners of rental properties built before 1978 to register their units with Maryland Department of the Environment (MDE), distribute specific educational materials, and meet specific lead paint risk reduction standards at certain triggering events.
- MDE files 500 to 800 violation notices annually, and a team from the state's attorney general's office is responsible for enforcing actions against noncompliant owners.
- Maryland's pursues enforcement against a rental property owner's entire noncompliant housing portfolio once enforcement actions have been initiated against any one of the owner's properties.
- Local housing code enforcement and landlord licensing officials at the city and county level refer noncompliant properties to MDE for enforcement of the registration and risk reduction requirements.

Rhode Island



- Before any change in ownership or tenancy of a property and at least every two years, the property owner must have the property inspected and demonstrate via a certificate of conformance (COC) or a lead-safe or lead-free certificate that the dwelling is safe for children.
- Establishing lead safety includes dust testing.
- Under the law, rental property owners are required to attend a training on unsafe lead conditions, inspect/repair any lead hazards at their properties, make residents aware of their findings and actions, address residents' lead-hazard concerns, employ lead-safe work practices during maintenance, and verify each unit's compliance through a lead inspector.
- **Cities that established a housing court improved compliance**

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Detroit

- A two-pronged effort to address lead-based paint hazards.
 - 1) involves completing lead inspections and risk assessments and remediation of all city's rental stock following a scheduled ZIP-code-by-ZIP-code process.
 - 2) Six months before enforcement starts in a given ZIP code, the city sends mailings, internet notices, and meetings to alert the regulated community of the new compliance target dates. Owners then have six months to comply. If a hazard (violation) is identified and there is no compliance, the city issues a violation notice(s). If the rental property is not in compliance, the tenant can apply to participate in the rental escrow program, and a financial institution can hold the rent in escrow for 90 days. If there is still no compliance at the end of the 90 days, the tenant gets to keep the escrow money
 - 3) The second involves a code inspection that, among other things, seeks to identify and correct deteriorated paint, regardless of whether it contains lead. Third-party private inspectors test the paint for lead
 - 4) Challenges: Most rental properties are not properly registered. Not well funded.



State of New Jersey: A Leader, BUT WE CAN DO MORE

A leader with 5 yr. cyclical inspections for buildings with three or more units, universal lead screening, follow CDC public health intervention guidelines, state funds for healthy home repairs, NJ Healthy Homes Training Center@Isles, proactive DOH and DCA staff.

Challenges:

- No inspections of 1 and 2 unit buildings---a sizable portion of housing stock in our oldest cities, most at high risk of lead hazards
- Accepts visual inspections for lead --- no testing of paint.
- Section 8 units approved without a lead risk assessment



Pass Senate Bill 1147/Assembly 1372— Lead Safe Certificate

- THEN---NJ will require inspections for lead hazards at rental turnover for units built before 1978
- Including one- and two-unit buildings
- Education for landlords about the impacts of lead poisoning and how to prevent it.

Healthy Housing, Healthy Families

Friday, June 11 10 AM

- To hear more about Isles' Lead Agenda, please join this session.
 - Housing as a Vaccine
 - Role of Community Health Workers
 - Section 8 inspections
- Auto eligibility for Early Intervention services
 - Improved data reporting
 - How to increase lead screening
 - Medicaid CHIP funds
 - And more



Thank you.

Contact us

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