

**ERIE COUNTY DEPARTMENT OF ENVIRONMENT AND PLANNING**  
**HOUSING REHABILITATION PROGRAM**  
**APPLICANT ACKNOWLEDGMENT FORM**

This acknowledges that the following narrative has been read and understood by the applicant.

1. **INSPECTION:** Permission is granted to the Erie County Department of Environment and Planning and their representatives to conduct an inspection of my property for the purpose of evaluating the need and cost of housing improvements eligible for funding through the County Housing Rehabilitation Loan Program as well as the presence of lead-based paint hazards.
2. **LEAD-BASED PAINT INFORMATION AND DISCLOSURE:** It is acknowledged that a representative from the Department of Environment and Planning presented me with information concerning lead-based paint hazards that must be followed at time of sale. It is further acknowledged that I have informed a representative for the Department of Environment and Planning regarding any prior lead-based paint testing or risk assessments conducted at my house as well as any elevated lead blood level medical tests received for anyone residing in this household.
3. **HOME ENERGY AUDIT:** It is acknowledged that a representative from the PUSHGreen organization will contact me regarding having a Home Energy Audit completed at my property. The energy audit is free of charge and may result in financial assistance for improvements made to my property that will result in energy savings.
4. **LOAN REQUIREMENT:** This is not a grant. The funds will require repayment. The principal balance will be due upon sale or ownership transfer of the house.
5. **OCCUPANT PROTECTION AND TEMPORARY RELOCATION DURING LEAD HAZARD REDUCTION:** In most jobs that require lead hazard reduction, appropriate actions will be taken to protect occupants from lead-based paint hazards if the unit will not be vacant during the rehab project. In those cases, occupants may not enter the worksite during the lead hazard reduction activities. Re-entry is permitted only after such activities are completed and the unit has passed a clearance examination. Occupants of the unit do not have to be relocated if: rehab work will not disturb lead-based paint or create lead-contaminated dust; hazard reduction activities can be completed within one 8-hour daytime period and the worksite is contained to prevent safety, health or environmental hazards; exterior-only work is being performed where the windows, doors, ventilation intakes and other openings near the worksite are sealed during hazard reduction activities and cleaned afterward, allowing for a lead-free entry to be maintained; hazard reduction activities will be completed within 5 calendar days and the work area is sealed, the area within 10 feet of the containment area is cleaned each day, occupants have safe access to sleeping areas, bathroom and kitchen facilities; and occupants are not permitted into the worksites until after clearance

has been achieved. HUD has advised that relocation of elderly occupants is not typically required, so long as complete disclosure of the nature of the work is provided and informed consent of the elderly occupant(s) is obtained before commencement of work.

If occupied units are to undergo more extensive lead hazard abatement activities, the occupants must be temporarily relocated. Most often, furniture and occupant belongings can be covered and sealed with protective plastic sheeting, although storage of major furniture and removal of all small furnishings during the hazardous materials reduction work may sometimes be necessary.

Owners are responsible for carefully packing all breakables; removing all clothing from closets, etc. During the abatement work, only workers trained in lead hazard reduction may enter the work site. This means that neither owners nor occupants are permitted to return to the work site during the day or at night. If you have special needs to re-enter the site, please contact your rehab specialist. Only when the unit has been cleaned to the federally mandated standards and passed a clearance examination is it safe and permissible to return to your home. The rehab specialist will notify you with an Authorization for Re-Occupancy. Sometimes the jobs are completed in stages, with the lead hazard reduction work occurring first and the normal renovation work following. In these cases interim dust lead clearance must be obtained prior to re-occupancy by the owners or occupants and other non-lead related rehabilitation workers. Final lead dust clearance must be repeated following the rehabilitation work to verify that the residence is free of lead hazards.

6. **OFF-CONTRACT WORK:** It is understood that should a County housing rehabilitation loan be approved for my household, only work stated in the homeowner/contractor agreement shall occur during the time period of said agreement. It is understood that Erie County has the right to terminate my participation in the housing rehabilitation program should any side deals with the contractor occur.
7. **NOTE/MORTGAGE:** It is understood that in order to participate in the Erie County Housing Rehabilitation Loan Program, a mortgage will be placed on my property for the value of the loan.
8. **RELEASE OF LOAN INFORMATION:** It is understood that should a County housing rehabilitation loan be approved for my household, representatives from the Erie County Department of Environment and Planning may release information concerning loan balances, payment history, and filing information to the County Clerk, lenders, attorney's, and other financial related institution seeking said information for the purpose of mortgage/lien subordination and discharge purposes.
9. **ERIE COUNTY SUBORDINATION OF MORTGAGE POLICY:** It shall be the policy of Erie County to only subordinate Erie County Mortgages and liens securing housing loans in cases where the new loan serves to (1) enhance or improve the affordability of housing costs, (2) increase the home's value through repairs or renovations, (3) make payment of family medical and educational bills, or (4) other cases of extraordinary hardship (this is to be determined solely by the Department of Environment and Planning).

In order for Erie County to consider a subordination request, the following items are required:

- a) A Subordination Request Form from the homeowner;
- b) Lender Certification of Loan Terms Form;
- c) An appraisal shall be submitted by either the lender or homeowner relative to the property in question.

Erie County will not subordinate mortgages/liens in cases where one or more of the following occurs:

- a) Purpose of new loan is not entirely targeted toward (1) enhancing or improving the affordability of housing costs, (2) increasing the home's value through repairs or renovations, (3) payment of family medical or educational bills, and (4) other cases of extraordinary hardship as determined by the Department of Environment and Planning.
- b) The new loan raises the interest rate more than 1% above the current loan.
- c) The owner is desirous of receiving cash out from the transaction.
- d) The new loan balance exceeds the existing loan balance (excluding reasonable lender's fees).
- e) The lender's upfront fees exceed 5% of the loan amount.
- f) The loan(s)-to-value ratio exceeds 95%.
- g) The new loan is a reverse mortgage.
- h) The applicant has been the recipient of two subordinations from Erie County.

Loan for Home Repair, Medical, Educational, or Extraordinary Hardship:

- a) The lender's fees cannot exceed 3% of the existing (existing loan means the loan that is currently recorded, not the loan that the client is currently working to secure) loan balance.
- b) The lender's fees can be rolled into the new loan.
- c) The loan-to-value ratio cannot exceed 95%.

10. **DIRECT PAYMENT TO HOME IMPROVEMENT CONTRACTOR:** Payment to the home improvement contractor shall occur after approval by both the County and homeowner.

I hereby acknowledge that I have read and understand the above information.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Co-Applicant

\_\_\_\_\_  
Address

\_\_\_\_\_  
Housing Specialist

\_\_\_\_\_  
Date