

State of New Hampshire Department of Health and Human Services

REQUEST FOR INFORMATION RFI-2019-DPHS-01-STATE

FOR

**State Loan Guarantee Program for Lead
Hazard Remediation Projects**

September 21, 2018



REQUEST FOR INFORMATION

1. Overview and Purpose

1.1. Overview

This Request for Information (RFI) is issued by the Department of Health and Human Services, Division of Public Health Services, Healthy Homes Lead Poisoning Prevention Program, requesting information from vendors on the design and implementation of a State Loan Guarantee Program for lead hazard remediation projects.

Pursuant to recent legislation, the Department intends to establish a loan guarantee program for lead hazard remediation projects. The Legislation does not include any additional funding for the administration of the program, nor does the Department house the expertise to administer the program. Due to the lack of expertise and funding, the Department is seeking information from vendors.

1.2. Purpose

The purpose of this RFI is to solicit creative ideas from vendors on the implementation of a State Loan Guarantee Program for lead hazard remediation projects with the potential for a Request for Applications (RFA) or Request for Proposals (RFP) being issued seeking a vendor with the requisite expertise to administer the State Loan Guarantee Program on behalf of the Department.

2. Background Information

2.1. Department of Health and Human Services (DHHS), Division of Public Health Services (DPHS), Healthy Homes and Lead Poisoning Prevention Program (HHLPPP)

- 2.1.1. The HHLPPP was established to address the risk of lead poisoning and other health, safety and energy issues stemming from the home environment. The HHLPPP includes, but is not limited to:
 - 2.1.1.1. The coordination and oversight of the Statewide Healthy Homes Strategic Action Plan;
 - 2.1.1.2. Facilitation of the "One-Touch" Healthy Homes initiative;
 - 2.1.1.3. Nurse case management and environmental inspections for lead poisoned children;
 - 2.1.1.4. Licensing and certification of lead paint professionals;
 - 2.1.1.5. Statewide monitoring of all reported child and adult blood lead levels;
 - 2.1.1.6. Professional and public education;
 - 2.1.1.7. Lead poisoning policy and rule development and enforcement; and,
 - 2.1.1.8. Development and implementation of an investigation and enforcement program for lead base substances and the reduction of lead exposure hazards.



- 2.1.2. Lead poisoning is entirely preventable. However, nearly one (1) million children living in the United States have blood lead levels high enough to impair their ability to think, concentrate, and learn. Evidence shows that the most common source of lead exposure for children today is lead paint in older housing and the contaminated dust and soil it generates. New Hampshire has the oldest housing of anywhere in the United States with 62% of its homes built before lead-based paint was banned in 1978.
- 2.1.3. Lead is highly toxic and affects virtually every system of the body. It can damage a child's kidneys and central nervous system and cause anemia. At very high levels, lead can cause coma, convulsions, and death. Even low levels of lead are harmful. Low levels are associated with decreased intelligence, behavior problems, reduced physical stature and growth, and impaired hearing. The only way to know for sure if your child has lead poisoning is a simple blood test.
- 2.1.4. SB 247 and SB 588 implemented many improvements to how lead poisoning is addressed in New Hampshire. On April 9, 2018, the passage of SB 247 made New Hampshire a universal testing state, requiring all providers to conduct blood lead level tests for all 1 and 2 year old children. Insurance providers are required to cover the cost of blood lead testing. The legislation also lowered the Blood Lead Level (BLL) parental and property owner notification level from 5 mcg/dL to 3 mcg/dL and gradually reduces the BLL result requiring property investigation and case management by DHHS from 10 mcg/dL to 7.5 mcg/dL (effective July 1, 2019) to 5 mcg/dL (effective July 1, 2021).
- 2.1.5. Finally, SB 247 and SB 588 provide loan guarantees to landlords and homeowners to help with the overall cost of lead hazard remediation.

3. Objectives

3.1. Preliminary Objectives

- 3.1.1. To solicit ideas and suggestions from vendors for implementing and administering a State Loan Guarantee Program.
- 3.1.2. To consider valuable vendor ideas and suggestions and potentially issue an RFA or RFP utilizing those ideas and suggestions.

3.2. RFI Objectives

- 3.2.1. In 2018, Senate Bill 247 created NH RSA 130-A:15-a (see Appendix A), a loan guarantee program for lead hazard remediation projects. The legislation allows the Department (in consultation with the state treasurer and with approval of the Governor and Executive Council) the option of creating a state guarantee of the principal of, interest on, and reasonable collection expenses related to loans for lead hazard remediation projects. This provision became effective on April 9, 2018.
- 3.2.2. Specific program implementation requirements of SB 247 include:
 - 3.2.2.1. The Governor and Executive Council must approve the State Loan Guarantee Program.



- 3.2.2.2. The guarantee cannot exceed eighty percent (80%) of the maximum principal amount that may be borrowed, plus interest and reasonable collection expenses with respect to the loan.
- 3.2.2.3. Maximum amounts are established:
 - 3.2.2.3.1. Ten thousand dollars and zero cents (\$10,000), per unit;
 - 3.2.2.3.2. Two hundred thousand dollars (\$200,000) per building; and
 - 3.2.2.3.3. One hundred thousand dollars (\$100,000) per private home.
- 3.2.2.4. The total statewide loan guarantee may not exceed six million dollars (\$6,000,000).
- 3.2.2.5. Borrowers are required to complete the work within two (2) years of the issuance of the loan.
- 3.2.2.6. The Department must issue completion standards and disseminate the standards to prospective loan applicants.
- 3.2.2.7. Penalties will be implemented for failure to adhere to the timelines. Specifically, if the project is not completed within two (2) years, the landlord or owner shall pay to the state the difference between the lender's interest rate for a personal unsecured loan and the rate for the project, plus a five hundred dollar (\$500) penalty.
- 3.2.2.8. Landlords may qualify for loans of up to sixty percent (60%) of the cost of abatement, or up to thirty percent (30%) of the cost of interim controls. Priority must be given to rental units occupied by at least one (1) child with an elevated blood lead level of at least five (5) micrograms per deciliter (mpd).
- 3.2.2.9. Owners of child care facilities may qualify for loans of up to sixty percent (60%) of the cost of abatement or thirty percent (30%) of the cost of interim controls. Priority must be given to child care facilities that have been verified by a lead inspector to have a lead safety risk and/or are under lead hazard reduction orders issued by the Department.
- 3.2.2.10. Owners of single-family homes may qualify for loans of up to eighty percent (80%) of the cost of abatement or up to fifty percent (50%) of the cost of interim controls, provided that a child or pregnant woman resides in the home. The cost of periodic inspections and maintenance activities for single family homes, related to abatement or interim controls, is not eligible for loans. Priority must be given to homes that meet one (1) or more of the following criteria:
 - 3.2.2.10.1. Built prior to 1978;
 - 3.2.2.10.2. Occupied by a child with an elevated blood lead level of at least five (5) mpd;
 - 3.2.2.10.3. Occupied by a family with income below two hundred percent (200%) of the poverty level; or
 - 3.2.2.10.4. Verified by a licensed lead inspector to have a lead safety risk.



- 3.2.2.11. The cost of inspections and maintenance related to interim controls is not eligible for loans.
- 3.2.2.12. SB 588 subsequently amended the rule-making portion of SB 247 to add expanded rule-making provisions to the loan guarantee program. These provisions became effective on June 12, 2018. The Bill requires DHHS to adopt rules for eligibility criteria, the application process and maximum loan amounts. Additional provisions include:
 - 3.2.2.12.1. The lender must record a lien for the full amount of the loan, in the name of the lender and the State of New Hampshire.
 - 3.2.2.12.2. The lender is required to service the loan in accordance with its standard practices.
 - 3.2.2.12.3. If the borrower fails to pay the loan in accordance with the loan documents, the lender must mail a written notice of default to the borrower at his or her last known address, with a copy to the Department.
 - 3.2.2.12.4. If the default is not cured, the lender may foreclose the lien in accordance with the terms of the loan documents and state law.
 - 3.2.2.12.5. To the extent the foreclosure proceeds do not cover at least eighty percent (80%) of the unpaid principal balance, plus interest and collection expenses, the lender may apply to the State for payment of the guaranty for any such deficiency. The State shall then pay the guaranty in accordance with the terms of the loan guaranty program.

4. Factors to Consider

4.1. Factors to consider include, but are not limited to:

- 4.1.1. The Department is committed to implementing the State Loan Guarantee Program as soon as possible.
- 4.1.2. The Legislation does not include any additional funding for the administration of the program, nor does the Department house the expertise or existing staff to administer the program. The Department is working with the New Hampshire Legislature, representatives from the New Hampshire Bankers Association, the New Hampshire Business and Finance Authority, the Conservation Law Foundation, and other parties, on a regular basis, to ensure that the program is implemented successfully.
- 4.1.3. The Department anticipates that the property owners will apply directly to lenders.
- 4.1.4. All Personal Financial Information (PFI) will be the sole responsibility of the lender(s) and must be handled in accordance with all standard banking industry requirements.
- 4.1.5. The Department does not intend to retain any Personal Health Information (PHI) or Personally Identifiable Information (PII) in association with the program.



5. RFI Explanation and Questions

5.1. RFI Is Not an RFA or RFP

- 5.1.1. This RFI is for informational purposes only, and is not intended to result in a contract or vendor agreement with any respondent. This RFI is not a Request for Proposals, Bids or Applications. The State is seeking vendor community insight and information prior to finalizing business, functional, operational and technical requirements before considering the publishing of an RFA or RFP.
- 5.1.2. This RFI does not commit the State to publish an RFA or RFP or award a contract. The issuance of an RFA or RFP, as a result of information gathered from these responses, is solely at the discretion of the State. Should an RFA or RFP be issued, it will be open to qualified vendors, whether those vendors choose to submit a response to this RFI or not. This RFI is not a pre-qualification process.
- 5.1.3. Once information from this RFI is fully reviewed and considered, and depending on funding and other factors, an RFA or RFP may be published by the Department to select a vendor for specific work to be performed which could potentially result in a contract after the completion of the RFA or RFP scoring process. Nevertheless, the issuance of any RFA or RFP in the future does not commit the Department to award a contract.

5.2. RFI Questions

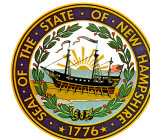
- 5.2.1. The Department is seeking a better understanding in the areas listed below, and requests interested Vendors to provide a response to each of the following questions, as applicable.

5.2.1.1. Vendor Organization/Experience

- Q1. Briefly describe your organization, client base, financial stability, and history. Please keep generalized marketing material to a minimum.*
- Q2. Provide your experience with adherence to state standards. Additionally, provide your experience administering a program of this type.*

5.2.1.2. General Programmatic Questions

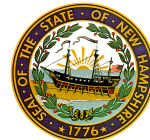
- Q3. How may the Department successfully administer the State Loan Guarantee Program in conjunction with lenders?*
- Q4. What ideas or solutions would you suggest to generate funding for administration of the program?*
- Q5. Is it possible to pre-approve lenders through an RFA or RFP process?*
- Q6. Could these loans be administered in a similar manner to a regular construction loan? If so, how does this work?*
- Q7. How should the lenders and the HHLPPP work together to ensure that the loan proceeds are expended only for lead hazard remediation projects?*



- Q8. *How should the lenders and the HHLPPP work together to ensure that individuals conducting the work are properly licensed in accordance with NH RSA 130-A and NH Administrative Rule He-P 1600?*
- Q9. *What are recommended term limitations and interest rate caps for this type of loan?*
- Q10. *What protections should be implemented to ensure borrowers have the ability to repay the loan?*
- Q11. *What protections should be implemented to prevent predatory lending and ensure that lenders only issue loans in accordance with standard and responsible practices?*
- Q12. *What does it mean to service the loan in accordance with standard practices? Are there "standardized practices" and expectations within the banking industry? If so, what are they?*
- Q13. *Would lenders be willing and able to handle the entire pre-approval process?*
- Q14. *Assuming lenders would be willing to handle the entire pre-approval process, how long does this generally take per applicant borrower?*
- Q15. *How could the Department treat the conflict with the lead hazard reduction completion time for borrowers of two (2) years versus the standard completion time of ninety (90) days for non-borrowers, assuming all parties are under Order?*
- Q16. *What does it mean to institute a penalty for the "Difference between lender's interest rate for a personal unsecured loan and the rate for the project, plus a five hundred dollar (\$500) penalty"? How would this amount be calculated?*
- Q17. *What protections should be put in place to avoid foreclosure and protect the amount guaranteed by the state?*
- Q18. *What amount or percentage does the lender typically pay to secure the guarantee?*
- Q19. *How should the Department disseminate information to eligible borrowers about the loan guarantee program and the obligation to conduct work in accordance with NH RSA 130-A and NH Administrative Rule He-P 1600?*

5.2.1.3. Recommended Approaches

- Q20. *Provide your recommended approach for the provision of a State Loan Guarantee Program. In doing so, describe the basic strategy and the specific tasks required to execute your recommended approach.*
- Q21. *Provide an outline of costs associated with your recommended approach.*
- Q22. *Provide the functional capabilities that must be in place to ensure your approach is efficient and effective.*
- Q23. *Provide an overview of the technology and service offerings that you currently provide.*



5.2.1.4. Training/Support/Reporting

- Q24. Provide the staff training that would be required.*
- Q25. Provide the levels and frequency of support that should be provided, including an outline of the staffing ratios and types of staffing needed.*
- Q26. Explain the levels and frequency of the support that should be provided by the Department.*

5.2.1.5. Areas of Concern

- Q27. Every project has certain inherent risks. Describe the significant risk factors associated with your recommended approach and how they should be mitigated.*
- Q28. What other suggestions or recommendations do you have to ensure the program is successful?*
- Q29. Define any areas of concern that are related to the Factors to Consider in Subsection 4.*
- Q30. Are there additional questions or concerns that are important for the Department to consider with regard to developing and implementing your recommended approach?*

6. Notices

6.1. Sole Point of Contact

The sole point of contact for this RFI relative to the submission of requested information and questions, from the RFI issue date until the potential publication of an RFA or RFP, if applicable, is:

State of New Hampshire
Department of Health and Human Services
Marsha Lamarre, Procurement Coordinator
Bureau of Contracts & Procurement
129 Pleasant Street
Concord, NH 03301
Email: Marsha.Lamarre@dhhs.nh.gov
Phone: (603) 271-9780

Other state personnel are NOT authorized to discuss this RFI before the submission deadline. The State will not be held responsible for oral responses to vendors regardless of source.



6.2. RFI Timetable

Request for Information Timetable		
Item	Action <i>All times are according to Eastern Time. The State reserves the right to modify these dates at its sole discretion.</i>	Date
1.	RFI Release Date	09/21/2018
2.	Vendor RFI Questions Due	10/09/2018
3.	DHHS Responses to Vendor Questions Target Post Date	10/12/2018 by 3:00 PM
4.	Information Submissions Due Date	10/25/2018 by 2:00 PM

6.3. Vendor Questions and Answers

6.3.1. Vendor Questions

- 6.3.1.1. All questions about this RFI, including but not limited to requests for clarification, additional information or any changes to the RFI must be made in writing, citing the RFI page number and part or subpart, and submitted to the Procurement Coordinator identified in Subsection 6.1.
- 6.3.1.2. The Department may consolidate or paraphrase questions for efficiency and clarity. Questions that are not understood will not be answered. Statements that are not questions will not receive a response.
- 6.3.1.3. The Department will not acknowledge receipt of questions.
- 6.3.1.4. The questions may be submitted by e-mail; however, the Department assumes no liability for assuring accurate and complete e-mail transmissions.
- 6.3.1.5. Questions must be received by the deadline given in Subsection 6.2, RFI Timetable.

6.3.2. Department Answers

The Department intends to issue responses to questions by the deadline specified in Subsection 6.2, RFI Timetable. Oral answers given are non-binding. Written answers to questions submitted will be posted on online at (<http://www.dhhs.nh.gov/business/rfp/index.htm>). This date may be subject to change at DHHS' discretion.

6.4. RFI Amendment

The Department may amend this RFI as it deems appropriate, prior to the submission deadline on its own initiative or in response to issues raised through vendor questions. In the event of an amendment to the RFI, the Department may extend the submission deadline. The amended language will be posted on the DHHS Internet site.



6.5. Information Submissions

- 6.5.1. Information submitted in response to this RFI must be received no later than the time and date specified in Subsection 6.2. RFI responses must be addressed for delivery to the Sole Point of Contact listed in Subsection 6.1, and marked with **RFI-2019-DPHS-01-STATE**.
- 6.5.2. Delivery of the Vendor's submission is at the Vendor's expense. The time of receipt is when a Vendor's submission has been officially documented by DHHS, in accordance with its established policies, as having been received at the location designated in Subsection 6.1. The State accepts no responsibility for mislabeled mail or any damage that may occur due to shipping.

6.6. Property of Department

All material properly submitted and received in response to this RFI will become the property of DHHS and will not be returned to the Vendor. The Department reserves the right to use any information presented in any submission provided that its use does not violate any copyrights or other provisions of law.

6.7. Public Disclosure

- 6.7.1. Any information submitted as part of a response to this RFI may be subject to public disclosure under RSA 91-A. In addition, in accordance with RSA 9-F:1, should an RFA or RFP be published by the Department, and a contract awarded, that information will be made accessible to the public online via the website Transparent New Hampshire (www.nh.gov/transparentnh/). Accordingly, business financial information and proprietary information such as trade secrets, business and financials models and forecasts, and proprietary formulas may be exempt from public disclosure under RSA 91-A:5, IV.
- 6.7.2. Insofar as a Vendor seeks to maintain the confidentiality of its confidential commercial, financial or personnel information, the Vendor must clearly identify in writing the information it claims to be confidential and explain the reasons such information should be considered confidential. This should be done by separate letter identifying by page number and RFI section number the specific information the Vendor claims to be exempt from public disclosure pursuant to RSA 91-A:5.
- 6.7.3. Each Vendor acknowledges that the Department is subject to the Right-to-Know Law New Hampshire RSA Chapter 91-A. The Department shall maintain the confidentiality of the identified confidential information insofar as it is consistent with applicable laws or regulations, including but not limited to New Hampshire RSA Chapter 91-A. In the event the Department receives a request for the information identified by a Vendor as confidential, the Department shall notify the Vendor and specify the date the Department intends to release the requested information. Any effort to prohibit or enjoin the release of the information shall be the Vendor's responsibility and at the Vendor's sole expense. If the Vendor fails to obtain a court order from a court of competent jurisdiction enjoining the disclosure, the Department may release the information on the date the Department specifies in its notice to the Vendor without incurring any liability to the Vendor.



6.8. Non-Commitment

Notwithstanding any other provision of this RFI, this RFI does not commit the Department to publish an RFA or RFP, or to award a Contract.

6.9. Liability

Vendors agree that in no event shall the State be either responsible for or held liable for any costs incurred by a Vendor in the preparation or submittal of or otherwise in connection with their submission.

6.10. Request for Additional Information or Materials

During the period from date of RFI Response submission to the date of RFA or RFP publication, if that should occur, the Department may request additional information or materials needed to clarify information presented as part of a vendor's submission. Such a request will be issued in writing.

6.11. Oral Presentations and Discussions

The Department may request some or all Vendors make oral presentations based upon their submission. Any and all costs associated with an oral presentation shall be borne entirely by the Vendor. Such a request will be made in writing.

7. RFI Response Submission Outline and Requirements

7.1. Presentation and Identification

7.1.1. Overview

- 7.1.1.1. Submissions should follow all instructions described in the RFI.
- 7.1.1.2. Vendors are requested to respond to all RFI Questions in Subsection 5.2. In addition, All Factors to Consider in Section 4 that are applicable should be incorporated into the Vendors' answers to the RFI Questions.
- 7.1.1.3. Submissions must be received by the date and time specified in the RFI Timetable, Subsection 6.2, and delivered, under sealed cover, to the Procurement Coordinator specified in Subsection 6.1.
- 7.1.1.4. Responses cannot be faxed or emailed.

7.1.2. Presentation

- 7.1.2.1. Original Submission in a three-ring binder or bound.
- 7.1.2.2. Three separate copies of the submission, stapled.
- 7.1.2.3. Major sections of the Submission clearly identified, tabbed, or otherwise separated

7.1.3. Submission of Information

- 7.1.3.1. Original Submission marked "Original."
- 7.1.3.2. Three (3) copies marked "Copy."
- 7.1.3.3. NOTE: In the event of any discrepancy between the copies, the hard copy marked "Original" will control.



- 7.1.3.4. Front cover or sheet labeled with:
 - 7.1.3.4.1. Name of company / organization
 - 7.1.3.4.2. **RFI-2019-DPHS-01-STATE**

7.2. Outline and Detail

- 7.2.1. Submission Contents – Outline
 - 7.2.1.1. Each Submission should contain the following, in the order described in this section:
 - 7.2.1.1.1. The Transmittal Cover Letter:
 - 7.2.1.1.1.1. On the Vendor organization's letterhead;
 - 7.2.1.1.1.2. Identify the name, title, telephone number, and e-mail address of the person who will serve as the Vendor's representative for all matters relating to the RFI;
 - 7.2.1.1.2. Table of Contents - The elements of the Submission should be numbered sequentially and represented in the Table of Contents.
 - 7.2.1.1.3. Executive Summary - The Executive Summary should:
 - 7.2.1.1.3.1. Provide DHHS with an overview of the Vendor's organization;
 - 7.2.1.1.3.2. Demonstrate the Vendor's understanding of the potential solutions described in this RFI and any anticipated problems associated with each;
 - 7.2.1.1.3.3. Show the Vendor's overall design of the potential solution(s); and
 - 7.2.1.1.3.4. Specifically demonstrate the Vendor's familiarity with the potential solutions' elements, and the Vendor's solutions to the problems presented.
 - 7.2.1.1.4. Answers to RFI Questions
 - 7.2.1.1.4.1. The Vendor is asked to answer all questions and include all items requested in Subsection 5.2.
 - 7.2.1.1.4.2. Responses should be in the same sequence and format as listed in Subsection 5.2.
 - 7.2.1.1.5. Description of Organization - Vendors must include in their submission, a summary of their company's organization, management and history and how the organization's experience demonstrates the ability to meet the needs of requirements in this RFI. At a minimum, the Vendor should provide:
 - 7.2.1.1.5.1. General Company Overview
 - 7.2.1.1.5.2. Ownership and Subsidiaries



- 7.2.1.1.5.3. Company Background and Primary Lines of Business
- 7.2.1.1.5.4. Number of Employees
- 7.2.1.1.5.5. Headquarters and Satellite Locations
- 7.2.1.1.5.6. Current Similar Project Experience
- 7.2.1.1.5.7. Mission Statement
- 7.2.1.1.5.8. Programs and activities of the organization
- 7.2.1.1.5.9. Number of customers served

8. Additional Information:

Appendix A: SB 247, SB 588, NH RSA 130-A as amended



Appendix A

2018 laws relating to NH DHHS Lead Program Loan Guarantee Obligations

SB 247 Effective April 8, 2018

NH RSA 130-A:15-a Loans for Lead Hazard Remediation Projects

I. Upon the Governor and Executive Council approval, the Department may, in consultation with the state treasurer, authorize a state guarantee of the principal of, interest on, and reasonable collection expenses related to loans for the lead hazard remediation projects as specified in subparagraphs II(a), (b), and (c). Such guarantee shall not at any time exceed 80 percent of the maximum principal amount that may be borrowed under the terms of the loan, plus interest and related reasonable collection expenses with respect to such loan. However, in no event shall the state guarantee for an individual project related to rental units exceed \$10,000 per unit or a total of \$200,000 per building, and in no event shall the state guarantee for an individual project related to a private home exceed \$100,000. The full faith and credit of the state shall be pledged for any such guarantee, but the total outstanding amount of principal guaranteed by the state under this section shall not exceed, in the aggregate at any time, \$6,000,000.

II. The Department shall ensure that all projects for which loans are granted are completed within 2 years of the issuance of the loan. The Department shall be responsible for issuing completion standards and disseminating these standards to prospective loan applicants. If the project is not completed within the 2-year period, the landlord or owner shall pay to the state the difference between the lender's interest rate for a personal unsecured loan and the rate for the project, plus a \$500 penalty.

(a) Landlords may qualify for loans of up to 60 percent of the cost of lead base substance abatement, or up to 30 percent of the cost of making a property or rental unit lead safe through interim controls. The cost of periodic inspections and maintenance activities related to interim controls shall not be eligible for loans. When determining projects eligible for participation in the loan program, the Department shall give priority to rental units that are occupied by at least one child with an elevated blood lead level of at least 5 micrograms per deciliter.

(b) Owners of child care facilities may qualify for loans of up to 60 percent of the cost of lead base substance abatement, or up to 30 percent of the cost of making a facility lead safe through interim controls. The cost of periodic inspections and maintenance activities related to interim controls shall not be eligible for loans. When determining projects eligible for participation in the loan program, the Department shall give priority to facilities that meet one or more of the following criteria:

- (1) Have been verified by a licensed lead inspector to have a lead safety risk;
- (2) Are under mitigation orders issued by the Department.

(c) The owners of single-family homes may qualify for loans of up to 80 percent of lead base substance abatement, or up to 50 percent of the cost of interim controls, provided that a child or a pregnant woman resides in the home. The cost of periodic inspections and maintenance activities shall not be eligible for loans. When determining projects eligible for participation in the loan program, the Department shall give priority to homes that meet one or more of the following criteria:

- (1) Were built prior to 1978;
- (2) Are occupied by a child with an elevated blood lead level of at least 5 micrograms per deciliter;
- (3) Are occupied by a family with income below 200 percent of the federal poverty level, as adjusted annually for inflation;
- (4) Have been verified by a licensed lead inspector to have lead safety risk.



Appendix A

III. Beginning on or before October 1, 2018, the Department shall report annually to the fiscal committee of the general court and the governor and council on the status of the loan program established in this section. Such report shall include:

- (a) A quantification of demand for the program among landlords, homeowners, and owners of licensed child care facilities;
- (b) The dollar amount of the \$6,000,000 aggregate limit that is guaranteed by the state at the time of the report, and the amount of guarantee remaining; and
- (c) The dollar amount, if any, that the state has paid to loan issuers to cover the cost of default.

SB 588 effective June 18, 2018

NH RSA 130-A:15-a Loans for Lead Hazard Remediation Projects

IV. The Department shall adopt rules, pursuant to RSA 541-A, to establish the eligibility criteria, application process, and maximum loan amounts pursuant to this section. The rules shall also include a requirement that the lender record a lien for the full amount of the loan at the time the loan is issued for any property under this section. In this section, "loan" means a loan for a lead hazard remediation project. The lien shall be in the name of the lender and the state of New Hampshire. The lender shall service the loan in accordance with its standard practices. If the borrower fails to pay the loan as required by the loan documents, the lender shall mail a written notice of default to the borrower at his or her last known address, with a copy to the Department. If the default is not cured, the lender may foreclose the lien in accordance with terms of the loan documents and state law. To the extent that the foreclosure proceeds do not cover at least 80 percent of the unpaid principal balance of the loan plus interest and reasonable collection expenses as provided under RSA 130-A:15-a, I, the lender may apply to the state for payment of the guaranty for any such deficiency. The state shall pay the guaranty in accordance with the terms of the loan guaranty program.

NH RSA 130-A

<http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-X-130-A.htm>

SB 247

http://gencourt.state.nh.us/bill_status/billText.aspx?sy=2018&id=978&txtFormat=pdf&v=current

SB 588

http://gencourt.state.nh.us/bill_status/billText.aspx?sy=2018&id=1848&txtFormat=pdf&v=current