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February 29, 2024

The Honorable Marvin L. Abney, Chair  
House Committee on Finance  
State House  
82 Smith St.  
Providence, RI 02903

**RE: H 7225 – Entitled an Act Making Appropriations for the Support of the State for the Fiscal Year Ending June 30, 2025 – Budget Article 3 – Section 17 – Lead Registry**

Dear Chair Abney:

Legislation enacted during the 2023 legislative session (H 6239 A) requires that contingent upon available funding, the Rhode Island Department of Health (RIDOH) shall create and maintain a publicly accessible online database containing information on all landlords, including certain identifying information. In addition, it requires pre-1978 properties to provide the department with a valid certificate confirming compliance with the *Rhode Island Lead Hazard Mitigation Act*. For landlords who do not comply, the Act establishes civil penalties and prevents the landlord from suing a tenant for non-payment of rent.

While the Governor and RIDOH strongly support the goal of identifying pre-1978 rental stock as part of an effort to ensure lead-safe housing in Rhode Island, at this time, RIDOH is unable to create and maintain such a database and engage and support landlords as the necessary funding for this initiative was not included in the enacted FY24 budget. To implement the current law, RIDOH requires an investment in information technology and staff.

The proposed Budget Article 3 – Section 17 requests the necessary funding to implement a Lead Registry. RIDOH requests \$1,293,108 in new general revenue expenditures in FY25 and a projected \$838,701 in general revenue expenditures in FY26, FY27, and beyond. Projected costs may decrease in response to the creation of efficiencies over time. In addition, the legislation proposes changes to effectively focus the department on properties that may contain lead and potentially impact the health of the rental property's residents by:

- Requiring RIDOH to create and maintain a lead registry containing specific information regarding landlords of pre-1978 rental properties by September 1, 2025.
- Allowing adequate time for State procurement processes, developing the database, and assisting landlords to come into compliance as well as to align the work with the funding that may be provided through the FY25 budget process.
- Requiring the publicly available online database to contain, on all landlords who have *not* provided RIDOH with a valid Certificate of Conformance, the names of individual

landlords or any business entity responsible for leasing to a tenant, the property address, and any property manager, management company, or agent for service of the property.

- Requiring landlords to register their information to the database no later than October 1, 2025, to align with the lead registry creation and implementation timeline.
- Prohibiting any penalties from being levied against landlords before October 1, 2025.

The lead registry database would include:

- Property owner contact information;
- Rental property address information;
- Lead certificate information;
- All pre-1978 rental properties in Rhode Island;
- Property management company contact information;
- Billing information for penalties related to the biannual renewal cycle for lead certificates and calculating invoices if lead certificates have expired;
- Online payment system for penalties;
- A public interface to display the public portion of the data; and
- A self-service portal so owners can log in, register new units, remove units no longer rented, and update other contact information.

RIDOH will also develop and implement culturally and linguistically appropriate strategies to communicate the new law to property owners which may include, but not be limited to social media, direct mail and/or email, billboards, pamphlets, RIDOH website, and radio and video ads. RIDOH will continue to provide the public with up-to-date lists of lead professionals that they can contact for inspections and lead hazard control/reduction work.

RIDOH strongly supports the goal of identifying pre-1978 rental stock as part of an effort to ensure lead-safe housing in Rhode Island. More than 80% of Rhode Island's housing stock was built before 1978. RIDOH requires the funding in the FY25 recommended budget to implement the lead registry, engage and educate landlords, and create and maintain this database which includes funding for software/data consultants, media/translation consultants, and community outreach to culturally and linguistically diverse landlords, especially landlords who rent a small number of properties.

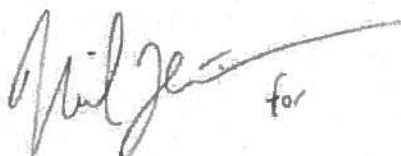
No child should suffer the impacts of being lead-prisoned. The most effective strategy for reducing lead poisoning is primary prevention. Prevention through safe housing is a primary way to solve childhood lead poisoning because there is no after-the-fact cure for lead poisoning. Although Rhode Island has made significant progress in reducing childhood lead poisoning, clearly far more must be done.

Properties owned by landlords with few units provide a significant source of unsubsidized, affordable housing. Rents tend to be lower in small, multi-family properties compared to larger multi-family properties of similar age and building quality, and small multi-family properties are more likely to house low-income tenants. Working collaboratively with these landlords is important to maintain and improve the availability and quality of naturally affordable rental stock.

As regulatory activities are aimed at building appropriate motives and attitudes, policies, and protocols within systems, RIDOH's approach to all regulations is based on providing regulated entities with information and education regarding their responsibilities and applying enforcement actions when necessary. The proposed legislation, if enacted, would allow RIDOH to perform these key core regulatory actions.

Effective lead poisoning prevention policy strategies must be accompanied by careful implementation, a well-structured delivery infrastructure, robust community-led programming, ongoing evaluation, and the resources that are included in the Governor's FY25 recommended budget. Lead poisoning is an urgent, complicated issue and RIDOH believes in its proposed and balanced approach to the Lead Registry. We look forward to continued partnership with the members of the General Assembly throughout the legislative process and beyond. We are happy to answer any questions the Committee may have regarding this critically important initiative.

Sincerely,

A handwritten signature in black ink, appearing to read "Utpala Bandy", followed by the word "for" written in a smaller, simpler font.

Utpala Bandy, MD, MPH  
Interim Director

CC: The Honorable Members of the House Committee on Finance  
Nicole McCarty, Chief Legal Counsel  
Lynne Urbani, Director of House Policy