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## RHODE ISLAND COALITION OF HOUSING PROVIDERS

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March 17, 2025

To Honorable Representative Robert E. Craven, Sr.  
Chair, House Judiciary Committee  
Rhode Island State House  
Providence, RI 02903  
VIA Email: [HouseJudiciary@rilegislature.gov](mailto:HouseJudiciary@rilegislature.gov)

RE: Letter in SUPPORT of House Bill Nos. 5918 and 5906

Dear Members of the House Judiciary Committee,

We are writing to you on behalf of the Rhode Island Coalition of Housing Providers ("the coalition"), which represents a diverse group of housing providers throughout the State of Rhode Island, in strong support of House Bills 5918 and 5906 ("the bills").

House bills 5918 and 5906 seek to modernize our state's lead and rental registry laws while prioritizing tenant safety by focusing resources on at-risk occupants (pregnant women and children under six, as defined by RI law 42-128.1), incentivizing lead compliance, keeping our state's housing/rental markets competitive by aligning our state laws with our neighboring states, and by streamlining the rental registry and its contents.

The coalition strongly supports lead poisoning protection, which is why we support the modifications to the current lead law to focus compliance and enforcement on those who need it the most, at-risk occupants. At-risk occupants are pregnant women and children under six years of age. Making the lead registry a registry of rental housing *built prior to 1978* that house *at-risk occupants* and not every rental unit in the state, not only makes sense but also focuses landlord and state compliance efforts where they are needed most.

By prioritizing resources for at-risk occupants, this legislation ensures that the most vulnerable are protected first. This is also important, as right now our state is at a disadvantage compared to MA and CT. Neither of those states have rental registries for every rental unit, instead they focus on either rental units built prior to 1978 or those that house at-risk occupants. Being an outlier, requiring every rental property to be registered, Rhode Island is increasing the housing costs and burden on housing providers and tenants alike, something our leaders are working hard to avoid.

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The change to focus efforts on at-risk occupants will not only increase compliance and overall safety, it will allow for *continued* compliance by freeing up lead inspectors to conduct focus testing. It has been widely publicized that right now (after the passage of the original lead compliance bill, which also removed the homeowner exemption for homeowner occupied 1-4 family homes in just a years' time), there is a severe shortage of lead inspectors. Some are waiting months to get an inspection. This shortage not only impacts the inspection of previously uninspected units, but also the *renewal* of units that were in compliance prior to the original lead law. Most units need to be re-inspected every two years, sometimes every year if there is a tenant turnover. The original lead law and the current shortage of lead inspectors may even cause prior lead compliant units to become non-compliant because landlords can't get their properties re-inspected. If they can get those units re-inspected, there may be a delay and an increase in costs because of the supply and demand issues with inspectors.

Additionally, the bills make it clear that a landlord who needs to conduct lead remediation efforts on a unit can do so in a safe manner, absent of an occupant and free from potential retaliation. By removing the risk of a retaliation claim, a landlord is free to conduct necessary repairs to a vacant unit and get that now lead compliant unit back on the rental market. This change will work to get more lead safe units on the rental market, and likely in an upgraded state, to the mutual benefit of the tenant and landlord.

The proposed amendments would place jurisdiction and enforcement under one roof (the Department of Health), clarify compliance requirements for only properties that contain at-risk occupants, and ensure a fair process for the release of escrowed tenant rent payments held with the court. These changes will improve lead compliance, focus efforts where they are needed most, increase efficiency, strengthen public health protections, and create a more balanced approach to enforcement.

Centralized jurisdiction and enforcement under the Department of Health is a critical step toward streamlining lead hazard mitigation efforts. Right now, this burden is split amongst multiple entities, the Department of Health, the Housing Resource Commission and local cities and towns. Having a single agency oversee compliance will reduce confusion, improve enforcement consistency, and allow for a more effective response to lead enforcement issues. This change will also help landlords navigate the system more easily, while ensuring that lead safety standards are uniform and upheld.

These bills also recognize that protecting tenants from lead hazards is best achieved through proactive solutions rather than punitive measures alone. Specifically, the bills remove the current prohibition on evictions for non-payment of rent when a unit is not

both registered on the state's registry and in compliance with the lead mitigation act by having a current lead certificate. This change is important because the current structure essentially creates a dead-lock whereby a tenant is able to remain in a non-lead compliant unit and not pay rent, and the landlord not only doesn't have the necessary income to make the unit compliant, but isn't able to safely do so with a tenant in place. In some cases, it incentivizes non-payment by tenants at risk to their own health.

The coalition strongly supports efforts for occupancy of lead safe rental units. Removing the ban on evictions is necessary towards that goal. Importantly, none of our neighboring states' laws ban evictions when a unit isn't lead compliant. Aligning our lead compliance policies with those of neighboring states will help maintain the competitiveness of our housing market, ensuring that property owners are not unfairly disadvantaged compared to those in nearby jurisdictions. This is crucial for sustaining a strong and balanced rental market while continuing to improve housing safety.

The bills also take much-needed steps to simplify the landlord registration process. By ensuring that registration is always free, and that landlords are not penalized for technical delays or issues with the registry itself; the legislation removes unnecessary barriers to compliance. Additionally, the bills push implementation back a year to allow time for necessary compliance, outreach, and for lead inspectors to catch up. The bills also reduce the burden on the new registry by only requiring a landlord to update their information if there has been a change to its initial registration. Thereby, saving time and resources, by not being required to re-register every year if there has been no change at all. The bills also help by clarifying who has access to registry information, the specific purposes for its use (not to feed AI databases), and the appropriate landlord contact for tenants, which will further enhance transparency and trust in the system.

Lastly, the bills create a sixty-day safe harbor provision, whereby the purchaser of a property will have sixty days to get a non-compliant unit compliant with risk of fines. This is extremely important as under current law, we understand lenders are starting to require that properties be lead complaint *prior* to allowing a sale to close. By at least providing a sixty day compliance grace period, lenders will be more likely allow the sale to close. This is extremely important as we want to encourage property purchases, especially those that will be owner occupied.

The proposed amendments also introduce much-needed judicial discretion in cases where tenants have chosen to place their rent in escrow with the court, when a unit is not lead compliant. Allowing a judicial officer the discretion to release these funds to a landlord who is making genuine efforts to comply with lead laws provides an

important incentive for remediation while ensuring that rental properties remain financially viable. At the same time, ensuring that a judge may only release funds to a tenant who has conducted some form of remediation themselves, after a landlord has been given an opportunity to conduct the remediation, and only after duly notifying a landlord of a hearing on the release of those funds, safeguards fairness and lawful due process rights.

Ultimately, these bills represent a thoughtful and balanced approach to lead compliance that protects tenants, supports responsible landlords, and keeps our housing market strong while ensuring that enforcement is both efficient and fair. We urge you to support these necessary changes to the Rhode Island Lead Hazard Mitigation Act to improve housing safety, streamline enforcement, and prove a fair and just approach to compliance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shannon', with a large, stylized flourish extending from the end of the signature.

Shannon Elizabeth Weinstein

On behalf of the RI Coalition of Housing Providers