

Report to Lead Safe Advisory Board City of Cleveland

July 2021

Submitted by the Lead Safe Auditor
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Period Covered: January 1 – March 30, 2021

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Summary

The Cleveland Lead Safe ordinance requires that all rental properties built prior to 1978 receive a Lead Safe certification by March 30, 2023. To distribute the burden of the compliance and processing over time, Cleveland Building & Housing has established a schedule of compliance by Zip Codes over eight calendar quarters, through the end of 2022. The period January-March 2021 marks the requirement for the first roll-out zone (Zone 1 - Zip Codes 44120, 44135).

A key to achieving compliance by landlords is through the success of the work of the Lead Safe Home Fund, which includes a Lead Safe Resource Center and access to loans, grants, and incentives. These strategies were officially launched in December 2020 and have gained momentum during the first quarter. Outreach and information provided through the Lead Safe Resource Center serves to educate landlords and residents about the ordinance and the resources available. The loans and grants provide much-needed financial assistance to eligible landlords to bring their properties into compliance with the lead safe ordinance.

The first quarter of 2021 was characterized by continued implementation of the community outreach and engagement strategies and initial compliance by a small subset of landlords with the certification requirement. While communication strategies have been multi-pronged, they have been dominated by Lead Safe Coalition messaging, rather than by direct communications from the City. Many landlords may not be motivated to pursue lead safe ordinance compliance until they have been informed of specific consequences of noncompliance by City Building and Housing.

Key Findings

- All core strategies are in place – During the period all functions of the ordinance were in place and supportive roles played by Coalition strategies were underway. Building & Housing began accepting lead safe certifications in January 2021. The Lead Safe Resource Center and the launch of Loans and Grants were all in place in December 2020 and saw increased utilization over the first quarter. Building & Housing’s process for receiving and approving Lead Safe certifications was being converted from paper-based to a streamlined electronic process. This will be

essential for processing the expected volume of applications as this increases. Additionally, though Building & Housing has increased its capacity to implement the ordinance, additional investments may be needed to successfully manage the process over the full implantation period.

- Nominal initial progress but early in implementation – The first quarter saw growing engagement in the Coalition strategies (Resource Center and Loans and Grants) but low lead safe certification submissions to Building & Housing (38). The effect of targeted communication efforts that began in fall 2020 will take time to fully educate and motivate landlords to bring their properties into compliance. In addition, landlords that are taking advantage of loans and grants represent a set of property owners that are mobilized and “in the pipeline” to compliance.
- Influence of sanctions yet unknown – The ordinance combines a requirement for lead safe certification with the ability to sanction landlords for noncompliance. By the end of the first quarter, Zone 1 landlords had reached their initial compliance date, but were all given a 30 day extension to comply. As Building & Housing moves to a need to issue tickets for noncompliance, the effects of this practice will need to be monitored. The threat of sanctions provides an important consequence for noncompliance but also communicates the full scope of the lead safe ordinance to landlords whose properties have a future deadline for lead certification.
- Effects of COVID on housing market – The COVID pandemic beginning in March 2020 has had dramatic effects in the housing arena as many individuals have lost employment and income due to contraction in most aspects of the U.S. marketplace. Though families in rental housing saw some protection through the implementation of federal and local eviction moratoria, as these have been phased out, eviction and other displacement has increased. In the context of the Lead Safe ordinance, time trends in key metrics like eviction will need to be carefully interpreted in order to understand the effects owing to these broader influences.
- Administrative data provide framework but other data are needed – The tracking of the implementation of the ordinance draws heavily on quantitative administrative data kept by Building & Housing, Environmental Health Watch, and CHN Housing

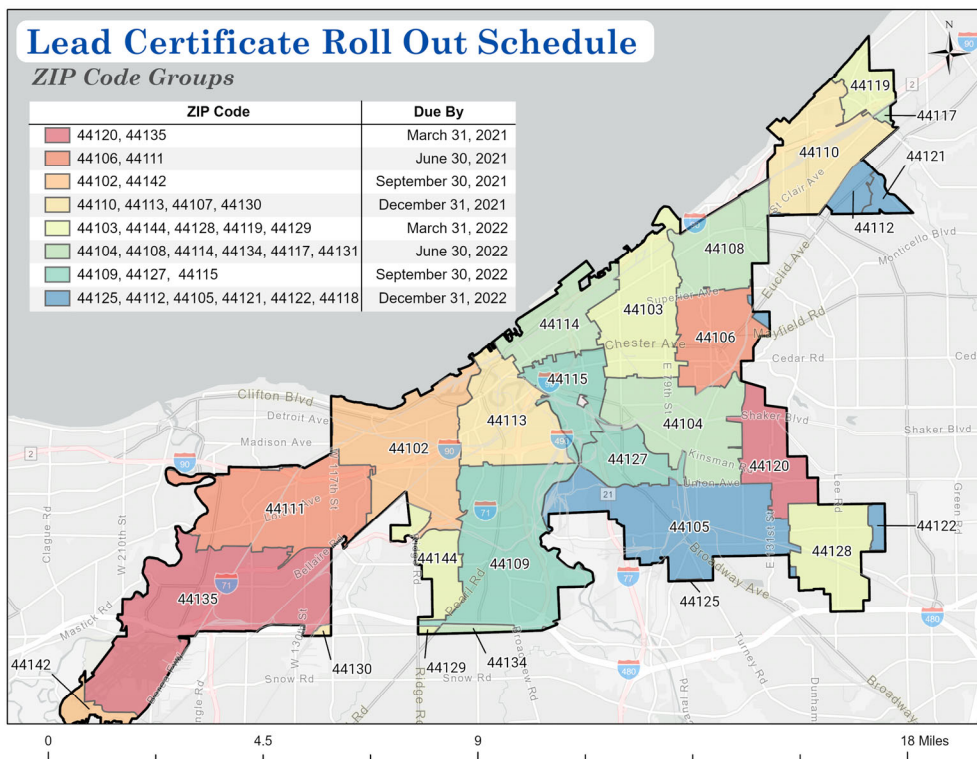
Partners, along with property records drawn from Cuyahoga County's Auditor, Recorder, and Treasurer. Collectively, these data provide considerable value in tracking the implementation and effects of the ordinance. However, other qualitative methods could also offer substantial benefit to understanding these dimensions. To address this, the Auditor will be conducting interviews in mid-2020 with various stakeholder audiences to collect narrative feedback on the implementation. In addition, the Auditor will be launching a public comment portal to collect individual experiences related to the ordinance. These methods will be useful in detecting unintended consequences of the ordinance that are not discerned from the administrative data.

Introduction

This is the first in a series of reports from the Lead Safe Auditor addressing the implementation of the Lead Safe Ordinance. The Lead Safe Auditor role was created as part of the Lead Safe Ordinance passed in 2019. Per City of Cleveland Ordinance 747-2019 [Section 365.05 Internal Review], “The Director, through a designated Lead-Safe Auditor, shall monitor the City lead-safe certification process to ensure efficiency and effectiveness. The Lead-Safe Auditor shall perform such other tasks as required by the Director, including maintaining a list of certified inspectors and contractors and coordinating regular monitoring and reporting with the Lead-Safe Advisory Board and other appropriate entities.”

Implementation of the Lead Safe certification is to occur across eight calendar quarters. Each quarter focuses on a selected zone of the City, as defined by a subset of Zip Codes (See Figure 1). The period January-March 2021 marks the requirement for first roll-out zone (Zip Codes 44120, 44135).

Figure 1 – Lead Safe Certification Roll Out by Zip Codes



Scope of Lead Safe Auditor

The Lead Safe Certification legislation (Ordinance 747-2019) passed in July 2019 outlines the following responsibilities for the Lead Safe Auditor:

- Coordinate regular monitoring and reporting to the Lead-Safe Advisory Board
- Serve as a member of the Lead-Safe Advisory Board
- Maintain a list of certified lead inspectors
- Maintain a list of certified lead abatement contractors

In addition to the fulfilling the responsibilities above, the Auditor will monitor the progress and status of City of Cleveland's Lead Safe Certification program and other lead poisoning prevention efforts conducted by the City of Cleveland, and analyze and report on a quarterly basis related to selected indicators, including:

- *Housing Units/Properties* - Rental registrations, Lead safe certified, Vacant/abandoned, Condition, violations, Value, sales/transfers, Evictions, Permits, Lead hazard control orders, Availability of lead safe rental housing
- *Property Owners/Landlords* - Type of owner, Number of properties, Sales/transfers, Eviction frequency
- *Tenants/Renters* - Mobility, Displacement, Evictions, Homelessness, Economic status, Rental costs

The Auditor will also proactively monitor for changes in the housing landscape in the community that could indicate unanticipated consequences of the Lead Safe Certification program. In March 2020, the City of Cleveland passed legislation naming the Center on Urban Poverty & Community Development as the Lead Safe Auditor for the two-year period 2020-2022.

Research in Support of Lead Safe Housing

Local data has played a key role in informing the community response to childhood lead poisoning in Cleveland. The function of the Lead Safe Auditor benefits from this work and draws on many of the data sources used in this prior work. In the 2019-2020 period several key studies were completed that had direct bearing on understanding childhood

lead exposure and its consequences, as well as the characteristics of the rental housing landscape in Cleveland. Highlights from these studies are summarized below –

Characteristics of Rental Properties and Landlords in Cleveland: Implications for Achieving Lead Safe Rental Housing (September 2020). C. Coulton, A. Urban, F. García-Cobián Richter, M. Henderson, M. Schramm, J. Jeon, & R. Fischer.

The majority of families with young children in Cleveland rent homes in the private rental market, making these properties and their owners key elements in moving forward on a lead safe agenda. This report identifies the universe of properties that make up this rental stock and profiles their ownership status, physical and financial conditions. Single family (42%) and two family structures (24%) make up a preponderance of the existing rental stock in Cleveland and many of these properties are vulnerable due to age, low values, and signs of disrepair.

The study identified a probable rental universe (as of 2018) that included 103,386 units, in 54,786 properties, of which 30% were on the City's rental registry. These properties were owned by 36,659 property owners, 86% of which are individuals (14% are corporations). Property owners were classified into types based on their business location, corporate status, and the number, conditions and assessed market values of their properties. Type 1 landlords typically owned a single family or double property that was in good condition and of average or above average market value. Type 2 landlords also owned few properties, but they were more often doubles and in bad condition with very low market value. These landlords are most likely to need subsidized capital to carry out the repairs to bring their properties up to lead safety standards. Type 3 landlords are larger operators, often corporate. Included in their portfolios are larger buildings as well as singles and doubles. While some of their buildings were in bad condition, the experience and scale of these landlords suggest they have the capacity to carry out the repairs that may be required. Programs to support lead safe housing in Cleveland will need to be customized for these various segments of the private rental market.

Downstream Consequences of Childhood Lead Poisoning: A Longitudinal Study of Cleveland Children from Birth to Early Adulthood. (June 2020). C. Coulton, F. García-Cobian Richter, Y. Cho, J. Park, & R. Fischer.

Lead poisoning typically occurs in early childhood, but can have long-term effects on exposed individuals. It is important to document some of the downstream consequences of lead poisoning in order to appreciate the costs of inaction and to target prevention resources where most needed. This brief reports on a longitudinal study of two cohorts of Cleveland youth that had elevated blood lead levels (≥ 5 $\mu\text{g}/\text{dl}$) before age 3 and matched comparison groups whose lead tests were not as elevated. We tracked markers of their educational success throughout elementary and high school and looked at adverse events, such as juvenile delinquency, adult incarceration, homelessness, and having to rely on public assistance. We find that children with elevated lead levels in early childhood have significantly worse outcomes on markers of school success, and higher rates of adverse events in adolescence and early adulthood, compared to their non-exposed peers. The size of these disparities is generally in the 20-30% range across both cohorts, and represents a sizable societal cost due to the loss of human capital, the burden on local systems, and persistence of inequality.

Early Childhood Lead Exposure among Cleveland Kindergarteners by Neighborhood and School Enrollment (January 2019). R. Fischer, S. Steh, & T. Chan

This study sought to determine the proportion of children who had a confirmed elevated blood lead level (EBLL) prior to arriving at kindergarten. All children enrolled in kindergarten in the Cleveland Metropolitan School District (CMSD) in 2014-16 were matched to lead testing data from the Ohio Department of Health from 2008-2016. For each child ($n=10,397$), all lead testing results conducted between the ages of birth and kindergarten entry were accumulated. Among this group, 84% of children were tested for lead at least once prior to kindergarten.

The study found that approximately one-quarter of kindergarteners in the Cleveland school district who had been tested for lead arrived at school with a history of elevated lead. There is, however, wide variations by school in the percentage of entering children that have a history of an elevated lead level (some as high at 45%), reflecting underlying

neighborhood differences in lead exposure. Schools with higher proportions of kindergartners with an elevated lead history are likely to face particular challenges in meeting their educational needs.

Early Childhood Lead Exposure in Cuyahoga County and the Impact on Kindergarten Readiness. (January 2019). E. Anthony, S. Steh, M. Salas Atwell, & R. Fischer.

Although annual rates of children with elevated blood lead levels above the current public health threshold for concern have been on the decline, children in Cuyahoga County still account for 41% of the children in Ohio with elevated lead levels. Despite Medicaid rules that mandate testing at ages 1 and 2, only 50% of the children on Medicaid in Cuyahoga County were tested at age 1 and only 34% were tested at age 2. Of the children born in Cleveland in 2012 and screened at least once by age 5, one in six (17%) had an elevated blood lead level by age 5. By linking lead testing records to school records, we show that children with past elevated lead levels are half as likely as their peers to score on track for language and literacy on the kindergarten readiness assessment. This persists even after controlling for a range of child and family background factors that are also correlated with kindergarten readiness.

Concurrent Efforts by Coalition

The principal focus of the Lead Safe Auditor work is on the properties, landlords, and tenants directly impacted by the Lead Safe ordinance and does not extend to the other strategy areas undertaken within the Lead Safe Coalition. These other areas are:

- Lead Safe Home Fund – The Fund, managed by the nonprofit CHN Housing Partners, is charged with managing a variety of grant and loan products available to property owners to assist with the remediation of lead risk hazards.
- Lead Safe Resource Center – The Resource Center, managed by the nonprofit Environmental Health Watch, is charged with operating a community-based location that makes available a wide range of information on lead safety. The Center assists landlords and tenants, families impacted by lead, and the general community in understanding information and accessing available resources. This Center also

offers trainings to individuals to learn to test properties and remediate lead risk hazards.

If the Coalition's strategies are successful, a decrease in the childhood lead exposure rate in Cleveland will be evident in time. However, in the short-term, with a focus on increased screening and testing, it is likely that the number of children testing positive for lead will increase from baseline as more cases are identified. Screening and testing rates will be examined at the neighborhood-level on an annual basis. Baseline data are now available on the testing rates and these will be tracked overtime to assess the benefits of enhanced outreach to medical providers, health insurance payers, and parents. In addition, testing results will be examined at the neighborhood level annually. These data will be examined in relation to the timing of the City's roll-out by Zip Code area, allowing for comparison between the pre-roll-out and post-roll-out time periods. As properties are tested and lead risks are abated in these properties, the incidence of exposure of children from these properties should decline.

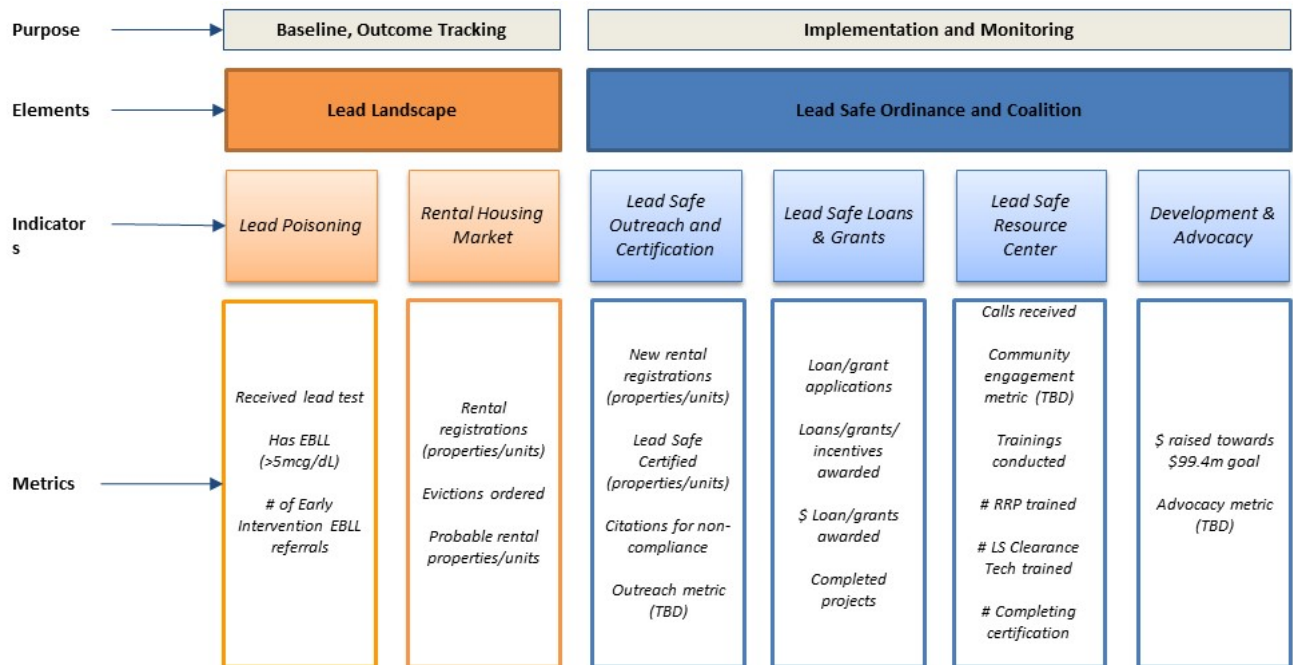
Though the childhood lead exposure rates in Cleveland have declined over time based on annual testing data, the exposure rates have remained unacceptably high. This is complicated by two additional insights. First, lead testing rates are low among high-risk children (i.e., Medicaid enrolled) which suggests the number of lead poisoned children is higher than data show. Second, though annual testing data is helpful, it does not capture the cumulative rates of children in the population ever exposed over a designated time period. For example, by the time a child entered kindergarten at CMSD in 2016-2018, fully one-quarter had experienced a blood lead level over the standard of 5 mcg/dl. These observations support the Coalition's emphasis on increasing screening and testing of children, as well as tracking children's testing results over time (up to age 6).

Impact Tracking Framework

Given the interrelationship between the implementation of the City ordinance and the strategies of the Lead Safe Coalition, it is useful to conceptualize an integrated view of the tracking work. Figure 2 shows the core set of tracking metrics. Childhood lead poisoning and the conditions of the rental housing market are conceived of as features of the baseline lead landscape (in orange). These metrics will be updated annually, partly due

to the time required to effect change but also limitations on the availability of child lead testing data and having sufficient sample sizes to report estimates. Also shown in the figure (in blue) are four areas to be tracked on a quarterly basis focus on implementation of the key strategies, including lead safe certifications, access to loans and grants, access to the Lead Safe Resource Center, and fundraising for the coalition.

Figure 2 – Framework for Lead Safe Tracking Metrics



The metrics shown in Figure 2 represent a high-level summary of measures in each of the domains. The broader data being collected are much deeper and will allow analysis across domains over time.

Implementation Progress

The planning for the launch of the City Ordinance and the supporting strategies of the Lead Safe Coalition continued through 2020, concurrent with the COVID-19 pandemic. Partners undertook direct mail and marketing efforts in fall 2020, and launched the components of the Lead Safe Home Fund in December 2020. A variety of outreach strategies were undertaken by the Coalition partners. The web sites of the City and the

Coalition were updated with information about lead safety and certification. Most information has been made available through two public sites -

City of Cleveland Building & Housing

www.clevelandohio.gov/CityofCleveland/Home/Government/CityAgencies/BuildingHousing/LeadCertification

Lead Safe Cleveland Coalition

<https://leadsafecle.org>

The City and the Coalition also implemented direct marketing to target audiences. The Coalition has conducted multiple mailings about the ordinance and the steps for properties to become lead safe. City Building & Housing has conducted mailing to all properties on the rental registry in the roll-out zone, informing the property owner that the property is required to be lead safe certified by a specific date. This occurred during the first quarter for Zone 1.

In addition, two interpersonal efforts are of note. First, CHN Housing Partners began conducting regular virtual Q&A sessions for landlords beginning in December 2020. These sessions allow landlords to participate in a discussion about the financial options available to them. Second, Environmental Health Watch, through its Community Action team, began canvassing neighborhoods in the targeted Zip Codes. In this work, team members go door to door, having conversations with landlords and tenants about the lead safe ordinance and providing information about resources available. These in-person contacts are vital for conveying the goals of the ordinance, answering individuals' questions, and connecting them to other resources.

Quarter 1 Tracking

During the first quarter of 2021, many procedures were still being developed and refined. This was true in regard to the work of City Building & Housing and the broader Coalition Partners. For example, Building & Housing was progressing in the implementation of a new interface for landlords to submit lead safe certifications, however, the process remained paper-based during the quarter. In addition, during the period the Auditor was still negotiating data access with partners and developing procedures for data transfer and validation.

In the first quarter, two Zip Codes were subject to the ordinance with an initial deadline of submission of March 30, 2021 for lead safe certification. Using baseline data on the rental housing market, a universe of approximately 7,000 likely rental properties was identified in these two Zip Codes (See Table 1). Of these, approximately 2,000 were already on the rental registry in 2019 and are referred to as registered rentals. An additional 5,000 properties had characteristics that suggested they were being operated as rentals, even though they were not on the City’s rental registry (“likely rentals”). Two issues are noteworthy here. First, properties already on the rental registry reflect owners who have already complied with the City rental registry requirement, whereas probable rentals have yet to comply with this requirement. Second and relatedly, the task of securing compliance by probable rentals requires owners to both join the rental registry and secure lead safe certification. Practically speaking, the owners of probable rentals, since they are not on the rental registry, will be more challenging for City Building & Housing to connect with and motivate to full lead safe compliance.

Table 1 - Q1 Roll-out Zone, Jan–Mar 2021

Zip Code	Est Universe of Rental Properties	# Properties on Rental Regis 2019	# Likely Rental Properties not on RR
44120	4,245	1,146	3,099
44135	3,039	1,033	2,006
Total	7,284	2,179	5,105

Note: Data extracted from *Characteristics of Rental Properties and Landlords in Cleveland: Implications for Achieving Lead Safe Rental Housing* (September 2020).

Data on progress during the first quarter were assembled by the Lead Safe Auditor team from a variety of sources, primarily from data provided by City Building & Housing, Environmental Health Watch, and CHN Housing Partners. Though in subsequent quarters data will be directly available to the Auditor, during this period raw counts were provided by the operational partners (See Table 2).

The data on activities by the Lead Safe Resource Center and in Loans and Grants show meaningful engagement of community members through these strategies. The Resource Center fielded more than 900 calls during the period and provided information

and referral. Through 37 events, 126 individuals were trained as a Lead Safe Clearance Technician or in Renovation, Repair and Painting (RRP). The resource center’s Community Action team also logged nearly 700 substantive, in-person community contacts.

Table 2 – Quarter 1 Metrics, Jan–Mar 2021

Lead Safe Resource Center	Q1 Data
Calls received	912
Trainings conducted	37
#RRP trained /#LS Clearance Tech trained	126
#Completing training certification	TBD
Community engagement metric (contacts)	669
Lead Safe Loans and Grants	
Loan/grant applications	87
Loan/grant/incentives awarded	36
\$ Loan/grants awarded	\$254,932
Completed projects	1
Lead Safe Outreach and Certification	
Rental registrations – properties (City)	9,503
Rental registrations – properties (Zone 1)	1,203
Rental registrations – units (City)	32,909
Rental registrations – units (Zone 1)	3,085
Lead Safe Certifications submitted	38
Citations for noncompliance	0
Outreach metric (e.g. mailers)	TBD

Activity in the loans and grants domain was still evolving during the quarter. By the end of the quarter, 87 applications had been submitted, of which 36 had been accepted and awards had been made. These awards had a total value of up to nearly \$255,000. One project was fully completed in the first quarter. Not shown in the table is the development metric on Coalition fundraising. By the end of the first quarter, the Coalition had funding commitments of approximately \$40 million toward its five-year goal of \$99 million.

In respect to lead safe certifications, 38 applications were received in the first quarter by City Building & Housing. As the first geography subject to the ordinance, this low level of compliance may not be surprising. The majority of the submissions were for properties in Zones 1 and 2 and the majority of these were approved within the period. There were submissions from Zones 3, 5, and 8 during the period showing some early adoption by landlords not yet subject to the ordinance. At the end of the first quarter, Zone 1 landlords were sent a letter providing a 30 day extension to comply with the lead safe certification requirement. Thus, by the end of the first quarter, no ticketing or citations for noncompliance had been issued.

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