

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

In the matter of Gustavo Sanchez ELI-0086

CONSENT AGREEMENT

This Consent Agreement is entered by and between the State of Rhode Island, Rhode Island Department of Health (HEALTH), Housing Resources Commission (HRC) and Certified Environmental Lead Inspector Gustavo Sanchez and concerns the improper issuance of Certificates of Conformance (COC) following Independent Clearance Inspections in violation of The Housing Resources Commission Rules and Regulations Governing Lead Hazard Mitigation, Rule 6 B: Lead Hazard Mitigation Standards and The Rules and Regulations for Lead Poisoning Prevention, 23-24.6-21.2(d).

FINDINGS OF FACT

Gustavo Sanchez has a current Environmental Lead Inspector license, ELI-0086, issued by HEALTH and is a "Lead Hazard Mitigation Inspector" currently approved by HRC to conduct Independent Clearance Inspections.

HEALTH conducted an investigation of the validity of COCs being issued by Gustavo Sanchez when a COC was issued twenty (15) days after HEALTH conducted a Comprehensive Environmental Lead Inspection (CELI) at 28 Miller St. where significant environmental lead hazards were found. HEALTH conducted a visual re-inspection of the interior and exterior of 28 Miller St. 3rd floor. HEALTH also conducted 9 additional visual inspections of the exterior and soil of the properties listed below.

Address	Apartment	City	Issue Date	Owner	Exhibits Attached
28 Miller St	2 nd Fl	Providence	07/18/2011	ESPINAL, PEDRO	Exhibit:1-13, 100-105, 200
28 Miller St	3 rd Fl	Providence	07/18/2011	ESPINAL, PEDRO	Exhibit:1-13, 100-105, 200
111 Lenox Ave	2 nd FL	Providence	10/03/2011	REAL ESTATE, ADG	Exhibit: 14-25, 106, 201
111 Lenox Ave	3 rd Fl	Providence	10/03/2011	REAL ESTATE, ADG	Exhibit: 14-25, 106, 201
132 Lenox Ave	1 st FL	Providence	10/04/2011	REAL ESTATE, ADG	Exhibit: 26-32, 107, 202
132 Lenox Ave	2 nd Fl	Providence	10/04/2011	REAL ESTATE, ADG	Exhibit: 26-32, 107, 202
140 Lenox Ave	3 rd Fl	Providence	10/03/2011	REAL ESTATE,	Exhibit:65-74, 108, 203

				ADG	
59 Sumter St	1 st Fl	Providence	10/04/2011	REAL ESTATE, ADG	Exhibit: 75-86, 109, 204
59 Sumter St	2 nd Fl	Providence	10/04/2011	REAL ESTATE, ADG	Exhibit: 75-86, 109, 204
153 Sumter St	1 st Fl	Providence	10/04/2011	REAL ESTATE, ADG	Exhibit:44-53, 110, 205
157 Sumter St	3 rd FL	Providence	10/04/2011	REAL ESTATE, ADG	Exhibit:39-43, 111, 206
182 Sumter St	3rd	Providence	10/04/2011	REAL ESTATE, ADG	Exhibit:56-59, 31-63, 112, 207

* No Exterior Visual Hazards were noted at 34 Lenox Ave Exhibits: 87-90, 113, 208, 168 Veazie St; Exhibit: 33-38, 64, 114, 209

HEALTH has concluded that 85% of the COC issued in this small random sample on Inspection conducted by Gustavo Sanchez to be in violation of the above-mentioned rules and regulations and are not valid.

In lieu of HEALTH filing a written complaint with the district courts in which the violations occurred in accordance with Section 23-24.6-20(e)(3) of R.I. General Laws 23-24.6 (The Lead Poisoning Prevention Act), the parties agree as follows:

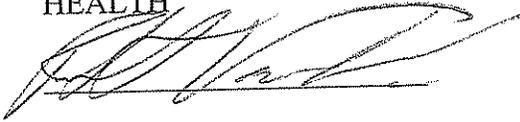
1. Gustavo Sanchez agrees to enroll in and complete a HEALTH approved Three (3) hour Lead Mitigation Inspector Class.
2. Gustavo Sanchez agrees to complete the seven (7) hour apprenticeship; under a RI Environmental Lead Inspector other than the ELI provided his initial training for Lead Mitigation, if previously trained in the field.
3. Gustavo Sanchez agrees to surrender his Lead Mitigation Log -In to HRC until he successfully completes the Lead Mitigation Training, with the full understanding he cannot conduct any Lead Hazard Mitigation Inspections in the interim.
4. HEALTH will place the Environmental Lead Inspector License ELI-0086 on a probationary period not to exceed twelve (12) months from the date this Consent Agreement is signed by all parties.
5. As a condition of probation, during the first six (6) month period starting on the date this Consent Agreement is signed by all parties, Gustavo Sanchez must submit at least five (5) pictures, or as many as necessary, with all Independent Clearance Inspection reports to Simon Kue at Simon.Kue@doa.ri.gov
6. Gustavo Sanchez agrees to conduct all future lead inspections in accordance with The Housing Resources Commission Rules and Regulations Governing Lead Hazard Mitigation, Rule 6 B: Lead Hazard Mitigation Standards and The Rules and Regulations for Lead Poisoning Prevention, 23-24.6-PB

7. The failure by Gustavo Sanchez to comply with any provision of this Consent Agreement shall result in HEALTH instituting procedures in accordance with § 23-24.6-20(e) of the R.I. General Laws 23-24.6 (The Lead Poisoning Prevention Act) against Gustavo Sanchez for the permanent revocation of the Environmental Lead Inspector License, ELI-0086. Nothing herein shall be construed as a waiver or release of any rights of the State to proceed under law or in equity.

STATE OF RHODE ISLAND:

Robert Vanderslice:

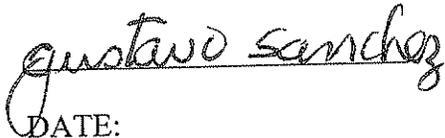
HEALTH



DATE:

12-15-11

Gustavo Sanchez:



DATE:

12-15-2011