

**State of Rhode Island
Department of Health
Office of Healthy Housing**

**In the Matter of
Carl W. Traux
ELT-0145**

SUMMARY SUSPENSION

The Rhode Island Department of Health and the Housing Resources Commission found Certified Environmental Lead Inspector Technician Carl W. Traux (hereinafter the Respondent) in violation of state law pursuant to complaints received concerning the lead paint certification work of the Respondent. The following are Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

The Respondent has a current Environmental Lead Inspector Technician license, ELT-0145, issued by The Rhode Island Department of Health and is a "Lead Hazard Mitigation Inspector" currently approved by the housing Resources Commission to conduct independent Clearance Inspections. The Respondent issued faulty Certificates of Conformance 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), constituting constructive fraud, on the dates indicated at the following properties:

1. 52 Ascham Street Unit 1, Providence, Certificate # 15781 dated 06/02/2008
2. 71 Felix Street Unit 1, Providence, Certificate # 16107 dated 06/26/2008
3. 64 Academy Avenue Unit 1, Providence, Certificate # 16008 dated 06/19/2008
4. 792 Douglas Avenue Unit 2, Providence, Certificate # 15761 dated 05/30/2008
5. 130 Hendrick Street Unit 1, Providence, Certificate # 16374 dated 07/14/2008
6. 45 Yale Avenue Unit 1 Providence, Certificate # 15532 dated 05/09/2008
7. 120 Gesler Street Apt. 2L, Providence, Certificate # 15476 dated 05/05/2008
8. 120 Gesler Street Apt. 1L, Providence, Certificate # 15477 dated 05/05/2008
9. 120 Gesler Street Apt.1R, Providence, Certificate # 15478 dated 05/05/2008
10. 120 Gesler Street Apt. 2R, Providence, Certificate # 15479 dated 05/05/2008
11. 54 Ascham Street Apt 2R, Providence, Certificate # 19370 dated 03/07/2009
12. 1090 Hope Street Unit 1, Bristol, Certificate # 19334 dated 03/03/2009

ORDER

Pursuant to RIGL §42-35-14(c), the Director of Health has determined that Carl W. Traux is in violation of the terms and conditions of his certification or license, so he is ordered to cease and desist inspections immediately.

After a review of the information in the possession of the Department, the Director of Health has determined that the continuation of Carl W. Traux as a Certified Environmental Lead Inspector Technician would constitute an immediate danger to public health, safety, or welfare, and that emergency action is required. Carl W. Traux is suspended from practicing Environmental Lead Inspection until further Order of the Department of Health. Respondent's suspension is in accordance with the terms of the Administrative Procedures Act RIGL §42-35-14(c). The Respondent is entitled to a hearing pursuant to the provisions of RIGL §42-35-14(c).



DR
David R. Gifford, MD, MPH
Director of Health

7/20/09
Date

NOTICE OF RIGHT TO APPEAL TO THE SUPERIOR COURT

Pursuant to RIGL §42-35-14 anyone aggrieved by this order has the right to appeal to the Superior Court within 30 days of the date of this Order by serving on the Director a notice of appeal and filing a notice of appeal and complaint in the Superior Court in accordance with the Rules of Civil Procedure and the Administrative Procedures Act.

CERTIFICATION OF SERVICE

A Copy of this Summary Suspension Order was hand delivered and sent by regular mail to Carl W. Traux, by the undersigned on this 21st day of July 2009.

Carl W. Traux
10 Johnson Court
West Warwick, RI 02893

Renda Julian