

Thomas Muscarella

Erie County Department of Health - NYS

- Deputy Director of Environmental Health – Lead Poisoning Prevention
- Program Director of the NYS Lead Rental Registry and Proactive Inspections Program
- 34 Years with the DOH, 27 years in the battle against lead poisoning
- Member of the NYS Governor's Advisory Council on Lead Poisoning – representing Local Government
- Member of the Local Lead Safe Task Force
 - Steering Committee Chairperson
 - Production Committee Chairperson
- Previous Program Manager of HUD Lead Hazard Grant
- EPA Training Manager for RRP and other courses

The Evolution of Lead Poisoning Prevention in Erie County

1991

EBL case management and inspection at 25ug/dL

1992

NYS PHL now mandates testing at ages 1 and 2 and to age 18 with risk factors

10 ug/dL is lead poisoned, case management initiated

20 ug/dL triggers EBL inspection

1998

ECDOH initiated EBL inspection at 15 ug/dL

2001

ECDOH gets first HUD grant – Healthy Homes Initiative

The Evolution of Lead Poisoning Prevention in Erie County

2003

Erie County received second HUD HHI grant
ECDOH partners on HUD Grant with private company, Lead Connections begins

2005

ECDOH gets first HUD Lead Hazard Control Grant

2008

NYSDOH funds Lead Poisoning Primary Prevention Pilot Program (high risk zip codes)
ECDOH receives 2nd HUD Lead Hazard Control Grant
Partnership with Community Foundation of Greater Buffalo begins

The Evolution of Lead Poisoning Prevention in Erie County

2009

NYSDOH changes EBL inspection to 15 ug/dL
Venous BLL confirmation now required at 10 ug/dL
ECDOH partners with CFGB's HUD Education Grant

2010

EPA begins RRP rule
ECDOH becomes trainer for RRP

2011

Erie County Sanitary Code amended to include visual assessments for conditions
conducive to lead poisoning
ECDOH received another HUD Lead Hazard Control Grant

The Evolution of Lead Poisoning Prevention in Erie County

2015

ECDOH Gets another HUD Lead Hazard Control Grant

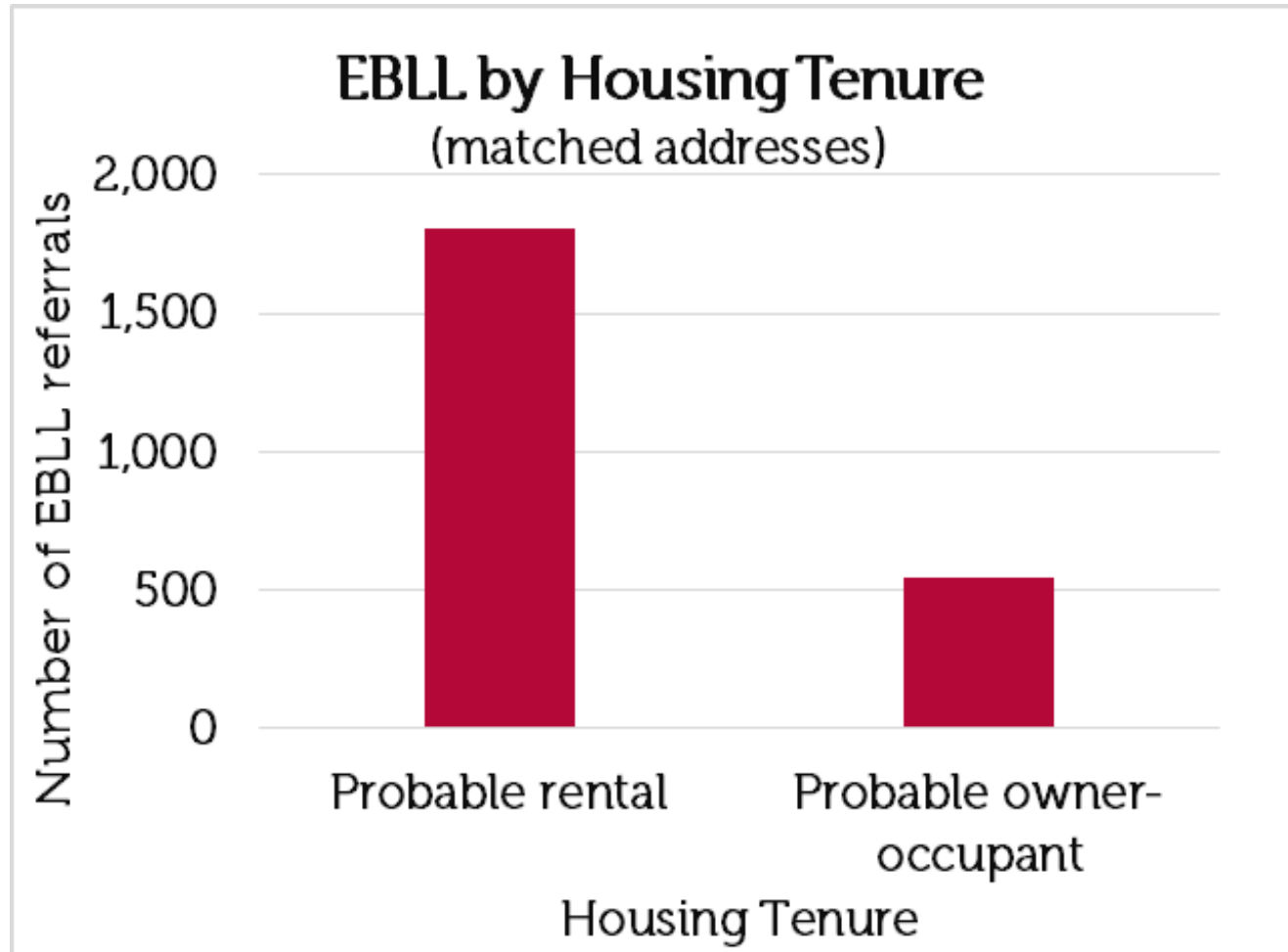
2016

ECDOH requires medical care coordination and Environmental Visual Assessments at level of 5 ug/dL

Erie County Executive funds Lead Poisoning Primary Prevention Initiative, ECDOH now can perform visual assessments county wide for conditions conducive to lead poisoning.

ECDOH receives HUD Lead Hazard Reduction Demonstration Grant

Comprehensive Lead Report Major Finding



Over 80% of the properties where children are lead poisoned are rental doubles and singles.



Promising Solutions
Government & Education | Economics & Public Finance | Health & Human Services | Nonprofits & Communities

Renewing Our Pledge: A Path to Ending Lead Poisoning of Buffalo's Most Vulnerable Citizens

Prepared for:
City of Buffalo
Community Foundation for Greater Buffalo
Health Foundation for Western and Central New York
Peter and Elizabeth C. Tower Foundation
Ralph C. Wilson, Jr. Foundation
The John R. Olsheif Foundation
United Way of Buffalo and Erie County

Prepared by:
Kent Gardner, Ph.D.
Project Director



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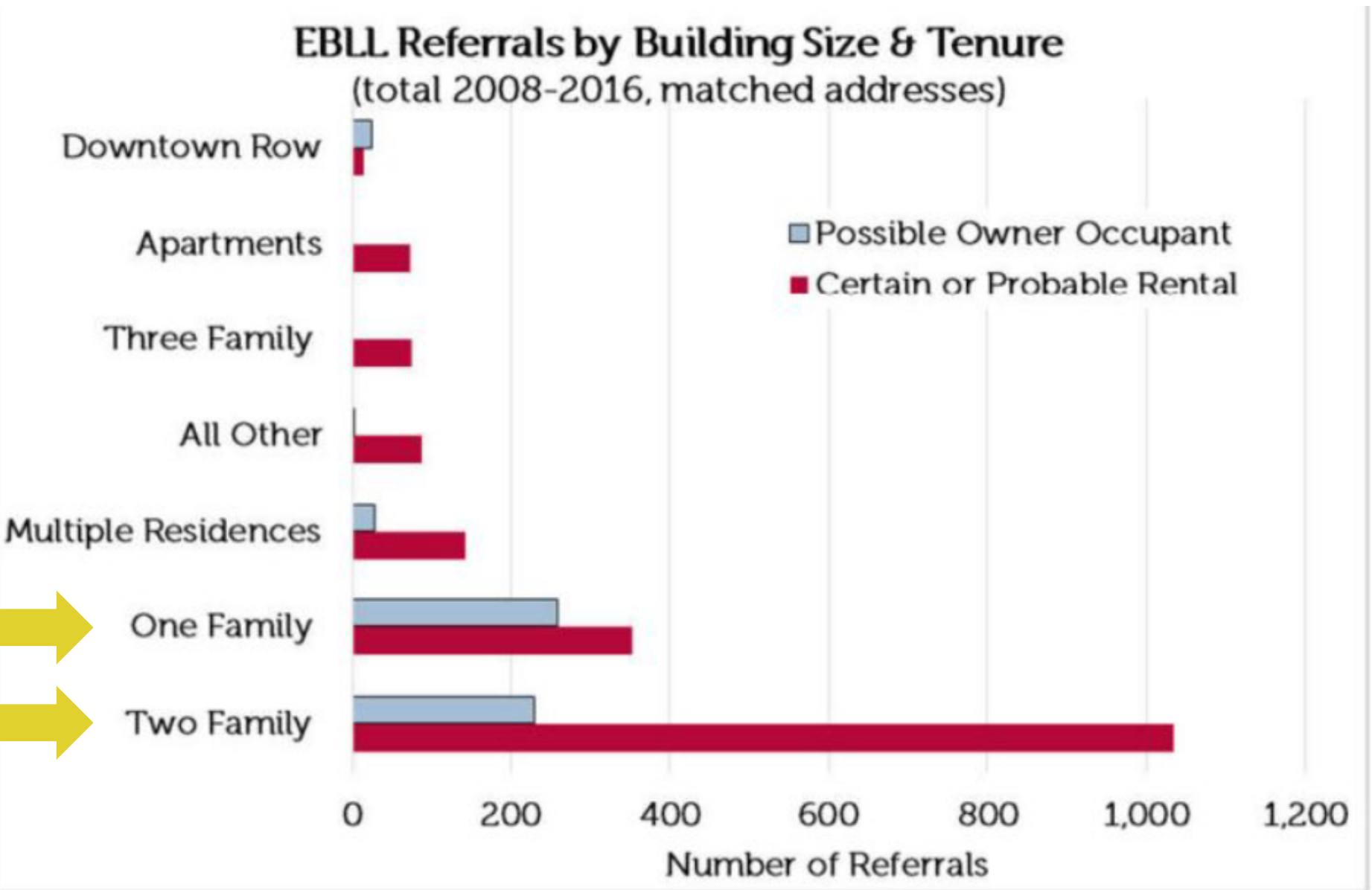


Figure 9 EBLR Referrals by Building Characteristic (15 µg/dL+)

The Evolution of Lead Poisoning Prevention in Erie County

2018

Erie County Sanitary Code strengthened adding stop work order and county wide
LSWP requirement for all pre-1978 work

2019

NYSDOH lowers care coordination and EBL investigation to 5 ug/dL
Erie County Executive funds additional staff due to significant increase in workload
ECDOH received another HUD Lead Hazard Reduction Grant

2020

COVID

The Evolution of Lead Poisoning Prevention in Erie County

2024

NYS Governor creates a Lead Rental Registry and Proactive Inspection Program for 25
Communities of Concern in NYS (ECDOH has 12 of them)
ECDOH receives another HUD Lead Hazard Reduction Grant
ECDOH and City of Buffalo Proactive Rental Inspection Program initiate referral
mechanism and work to solidify plan to work in conjunction.

2025

ECDOH initiates care coordination and visual assessment for
BLL's of 3.5ug/dL – 4.9ug/dL.
November – Proactive Inspections begin!



Community Foundation for Greater Buffalo

Community Foundation 2017-2025

- Convened Coalition Partners 2008-2017
- Part of Academic Achievement & Economic Mobility Portfolio
- Supported LSWP & Remediation
- Provided & Attracted Resources



Community Foundation 2017-2025

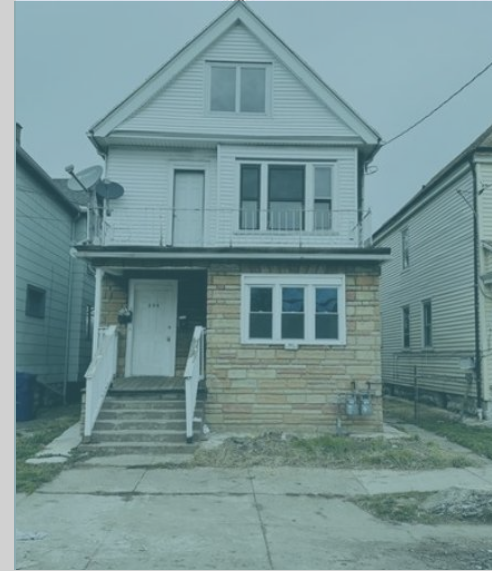
- Started Buffalo's Green & Healthy Homes Initiative with NYS AG
- Developed Get Ahead of Lead Website and Campaign
- Commissioned Study of EBLLs and Housing Types





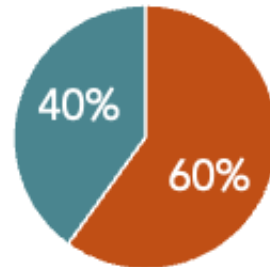
3+ Unit Buildings

Inspected Regularly



Single & Double Unit Buildings

Not Inspected



Percent rentals by number of units

Focus on Landlords

- More than 75% of landlords of at-risk rentals are local
- Large scale landlords are rare, most are:
 - Mom and Pop
 - Small scale DIY
 - Landlords by Inheritance
 - New Arrivals
- 18,000 landlords for 27,500 families with children



Sense of Urgency from Tenants



- Lead poisoning closely linked to quality, affordable housing, evictions, gentrification and displacement
- Lead just one of the many challenges
- Tenants fearful of both landlords and government

Laser Focus on Rentals

City of Buffalo developed stronger inspection requirements for rental properties with help from RWJ Foundation.



Lead Safe Task Force 1.0

- Co-chaired by City and County, with Buffalo Public Schools, the medical and legal communities, faith and non-profit leaders, philanthropy, and residents
- Workgroups on Community Engagement and Housing
- Staffed by Community Foundation
- Accountable to Public, Mayor and County Executive



Lead Safe Task Force Goals



- Pass Proactive Rental Inspections
- Support tenants with Community Health Workers
- Attract resources for small landlords
- NYS AG to prosecute large landlords with many violations

And then, Lead Safe Task Force 2.0

- Build Community Ownership and Leadership
- Strategic Plan Supported by \$1M Commitment from Community Foundation
- Task Force has tripled
- Community Based Coordination
- Good Trouble!





PARTNERSHIP
FOR THE
PUBLIC GOOD

Sarah Wooton

Director of Community Research

Over 380 Partner Organizations



Community Agenda Partner Vote



PRI Law Passed – November 2020

THE BUFFALO NEWS

Mayor Brown, Common Council tout lead prevention legislation

Deidre Williams Nov 25, 2020 Updated Nov 25, 2020 0

Why Buffalo Pushed Safe and Affordable Housing in the Middle of a Pandemic



BY: **Mayor Byron W. Brown**

DECEMBER 4, 2020 - (4 MIN READ)



Community & Economic Development Housing



Partnership with Inspections Dept

HOME SAFETY INSPECTION

A City of Buffalo inspector is coming to **make sure your home is safe** for you to live in.

WHY ARE THEY COMING?

Buffalo started a new program to inspect rented homes in 2021. We want to make sure you and your family are living in safe, quality housing. We told your landlord that we'll be doing this.



WHAT ARE THEY LOOKING FOR?

The inspectors are looking for unsafe conditions like chipping paint, leaking water, and broken windows. If they find unsafe conditions, they'll let your landlord know that they need to make repairs.



WHAT WILL HAPPEN?

The inspector will meet you at your door at the scheduled time. They'll look around inside and outside of your home. They'll take pictures of things that your landlord needs to fix. The inspection will last about 1 hour.



WHAT SHOULD I DO?

- Be on the look out for your inspector about 10 min before they're scheduled to come.
- Show them around your home and point out any unsafe conditions.
- Ask your inspector for their business card. That way, you can call them later if you have questions.



QUESTIONS?

Call 716-851-5227 or 3-1-1 if you have questions or if you need to reschedule. If you need added support during the inspection, call Maribel Cancel. She is a community health worker and you can reach her at 884-6711 x214



Your Inspection is at:

Date: _____

Time: _____

Stay Safe & Healthy @ Home

As families spend more time than ever in their homes, remember that old homes in Buffalo have lead paint. Lead paint and lead dust are harmful to pregnant women, children, and babies. **Follow these simple steps to make your home lead-safe while also reducing the spread of Covid-19 today.**

1

Clean windows

Lead dust likes to collect here. Use a wet towel to wipe up dust around your window sill.



2

Wipe down toys and objects

Spend 5 minutes each day wiping down toys, pacifiers, and household objects that may be dusty.



3

Wash hands

Children and adults should wash their hands regularly, especially before eating or making food. **Washing your hands regularly also prevents the spread of Covid-19**



4

Leave your shoes at the door

Shoes can track in outside lead dust or soil from nearby building work.



For information on resources available, call 311 or go to healthyhabits.house



Photo credit: Nina Zesky, Home Headquarters

Inspections Concerns – Spring 2024



The City had only inspected **13%** of covered units.

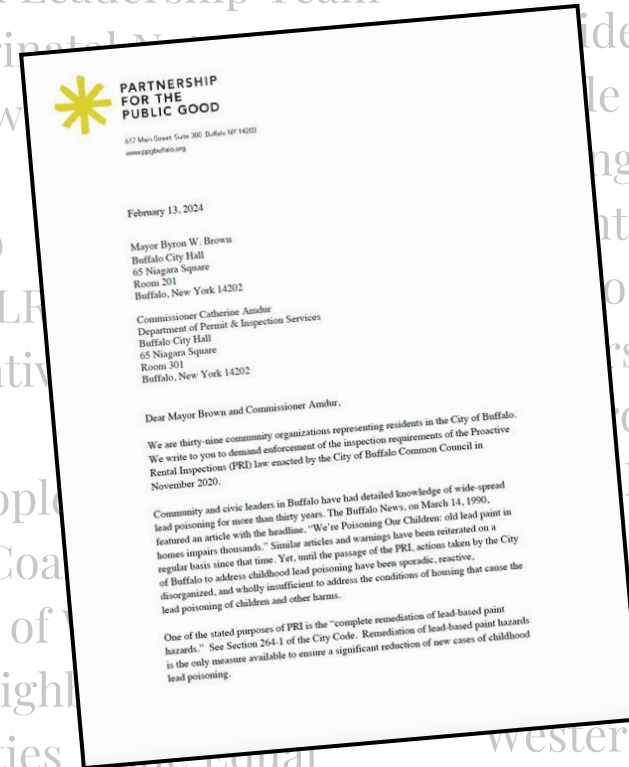
At this rate, it would take the city **27 years** to complete one round of PRI inspections.





Photo credit: Anna Blatto, PPG

Allentown Association
Beyond Support Network
Buffalo Center for Health Equity
Buffalo Immigration Leadership Team
Buffalo Prenatal Perinatal Loss
Center for Elder Law
Clean Air Coalition
Cooperation Buffalo
Cornell University ILR
Erie County Restorative
Fillmore Forward
Friends of Night People
Good Food Buffalo Coa
Grassroots Gardens of
Heart of the City Neigh
Housing Opportunities
Jericho Road Community Health Center
LEAD 716
Liftoff Western New York
Massachusetts Avenue Project
Mother Earth Literacies



National Lawyers Guild (B
Neighborhood Legal Servi
Partnership for the Public
Peace of the City
Peace Farm Collectiv
People United for Sustaina
Preventing Leaves... Books
Prevent, Owner, Landlord
Public Library
University at Buffalo Cent
Urban Design for Life, C
Urban Roots Cooperative C
Western Buffalo
Western New York Environ
Western New York Law Ce
Western New York Lead P
Western New York Peace C
Western New York Youth C

Funding Ideas

How the City Can Pay for PRI

The City of Buffalo's Commissioner of the Department of Permits and Inspections Services (DPIS) says that the Proactive Rental Inspections (PRI) program would cost the city \$2 million annually—about **0.35% of the City's budget**.¹ There are several ways that the city could pay for this program.

#1 Update the Rental Registry

Background

- The City of Buffalo requires all non-owner-occupied single and double rentals to register annually with the Rental Registry. The fee to register is \$25 for singles and \$50 for doubles.² Owners who fail to pay incur a late fee (an additional \$25 for singles and \$50 for doubles) 30 days after the due date.³ If the owner fails to pay 60 days after the due date, they are charged an additional \$75.
- As of December 2023, the rental registry had about 9,000 singles and 14,000 doubles.⁴ **The city projects that for fiscal year 2023 – 2024, it can collect \$1.376 million.**⁵
- About 45% of these structures were still marked unpaid as of December 18, 2023.⁶

Proposed Change:

- **We propose a modest increase in doubles.** In just the past year, rents have increased significantly. According to the City's average rent index, a \$4,452 annual increase in rent would result in an additional \$4,452 annual pay given the return that a lower fee increase than the rent increase. **With increased fees, the city could also engage more owners in the program.**

#2 Remaining American Rescue Plan

The City of Buffalo had a unique opportunity to receive funding under the American Rescue Plan Act and allocated only \$1 million of that funding to the PRI program. **Excerpted here**



Photo credit: City of Buffalo

THE BUFFALO NEWS

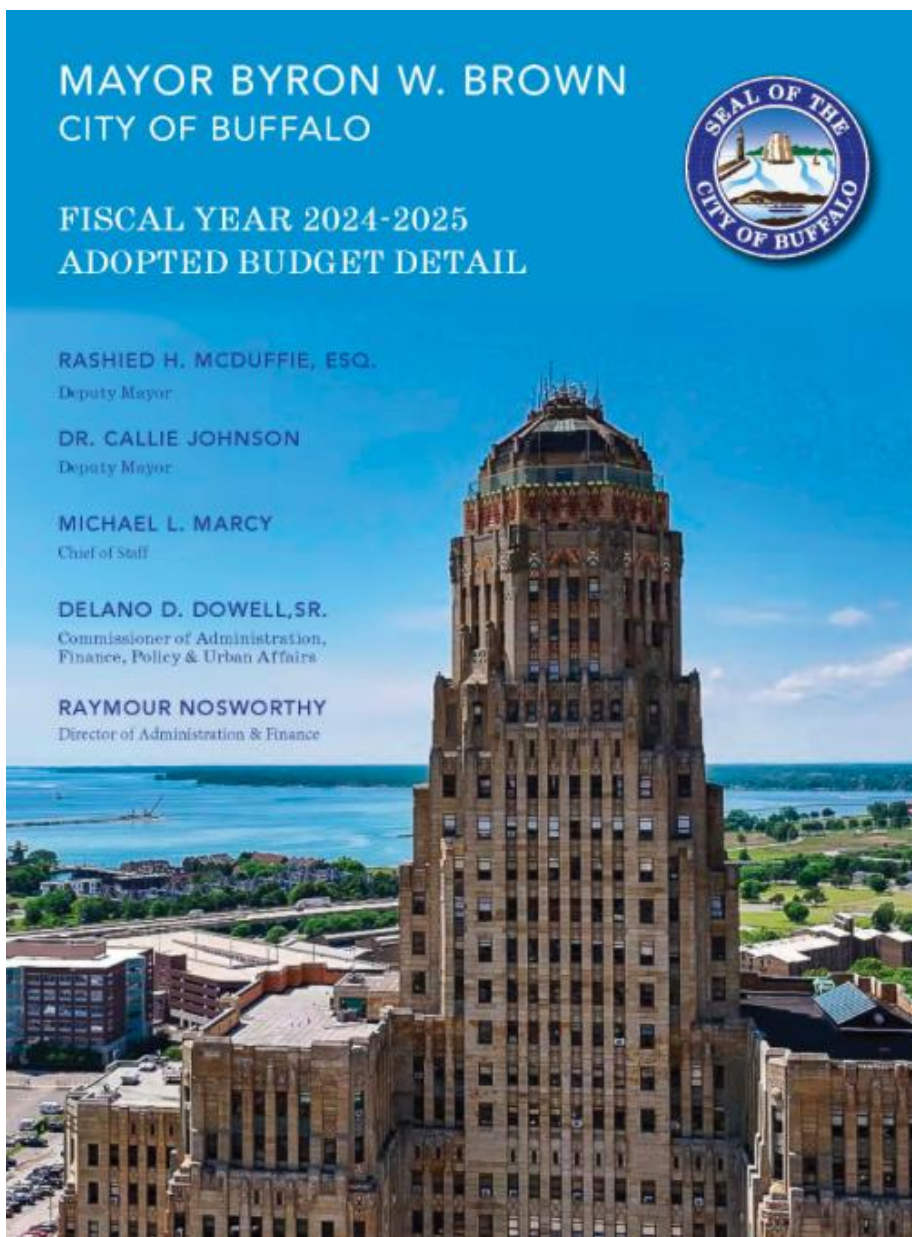
The Editorial Board: Buffalo's Proactive Rental Inspection program should be fully funded

Apr 14, 2024 1

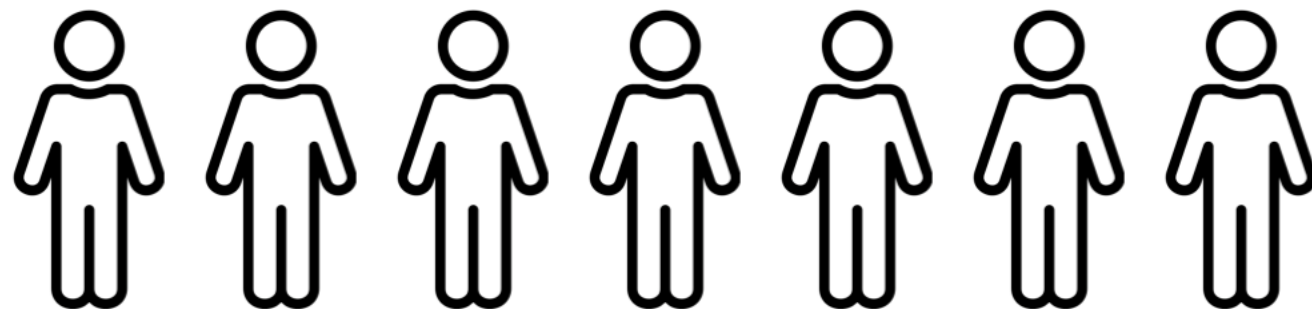


Janayia Capers, of PUSH Buffalo, speaks on city's failure to inspect rental units in a timely manner. This situation can and should be addressed.

Libby March/Bufalo News



- Rental registry fee doubled
- 7 new inspectors added



Physicians' Letter – 80 sign on

July 1, 2024

Honorable Byron W. Brown, Commissioner Catherine Amdur, and City of Buffalo Common Council
City of Buffalo
65 Niagara Square
Buffalo, N.Y. 14202

Dear Mayor Brown, Commissioner Amdur, and Buffalo Common Council members:

As local physicians dedicated to improving the health of children in our community, we ask the Brown Administration to fully implement the Proactive Rental Inspections (PRI) law. We also urge Mayor Brown and the Buffalo Common Council to allot adequate funding for inspections in the 2024-2025 budget.

This important legislation, enacted by the city in 2020, aimed to reduce unacceptably high rates of lead poisoning among Buffalo's children and address other health and safety issues created by substandard rental housing.

The passage of the PRI legislation was a welcomed milestone. Unfortunately, there has been a low rate of actual inspections completed under the ordinance. In Commissioner Amdur's most recent report to the Council, she disclosed that the city has only inspected 4,827 units,¹ meaning 87% of the 35,000 units covered under PRI have not undergone inspection. Yet, we still see more than 200 children per year, in the city alone, poisoned by lead from flaking and peeling paint while the law remains largely unenforced.²

For context on the lead crisis, children in Buffalo have significantly higher lead levels than the children in Flint, Michigan.³ Lead poisoning causes permanent neurological damage. Treatment with medication, such as chelating agents, can help hasten lead removal from the body – but the effects of lead are irreversible. As physicians, it is frustrating to have limited medical options to protect our young patients.

By far, the greatest source of the high lead levels of children in the city of Buffalo remains rental housing units with leaded paint. Primary prevention, which this law can effectuate, will help protect our community's children and prevent the hundreds of lead poisonings we diagnose each year.

The success of this law's preventive approach has been demonstrated in our nearby neighboring city, Rochester, where a similar ordinance passed in 2006. From 2006 to 2016, the percentage of children in Rochester who tested positive for lead poisoning dropped by two-thirds, from 6% to 2%.⁴ Rochester completed inspections on almost all target units in the first four years of the program.⁵ By contrast, in the first three full years of enforcement of PRI in Buffalo, the city completed 4,182 inspections – inspecting only 12% of targeted units.⁶ At the present rate, it will take the city more than 10 years to complete the first round of inspections.

Dr. Melinda Cameron discusses the dangers of lead poisoning



'We owe it to these kids': Doctors pushing for City of Buffalo to enforce lead inspection law

7 abc **BUFFALO**
WKBW



The law mandates regular inspections of rental properties and the goal is to reduce high rates of lead poisoning among children in Buffalo.



By: Kristen Mirand

Posted 6:05 PM, Jul 01, 2024 and last updated 6:27 PM, Jul 01, 2024

BUFFALO, N.Y. (WKBW) — A [letter](#) from 80 medical professionals urges the City of Buffalo to follow through on the Proactive Rental Inspections law.

Community organizations and residents sue City of Buffalo for failure to implement rental inspections law





Jan 17
2025

Judge tosses lead lawsuit against Buffalo

Plaintiffs had sued city claiming it wasn't enforcing law requiring inspection of rental properties for possible lead contamination.

By I'Jaz Ja'ciel

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Community groups last February rally in front of City Hall for more funding for lead inspections. Photo by I'Jaz Ja'ciel

Community Groups Will Appeal Court's Decision on PRI Lawsuit

Date: January 13, 2025

Share: [f](#) [t](#)

Buffalo loses out on remaining federal lead remediation grant money

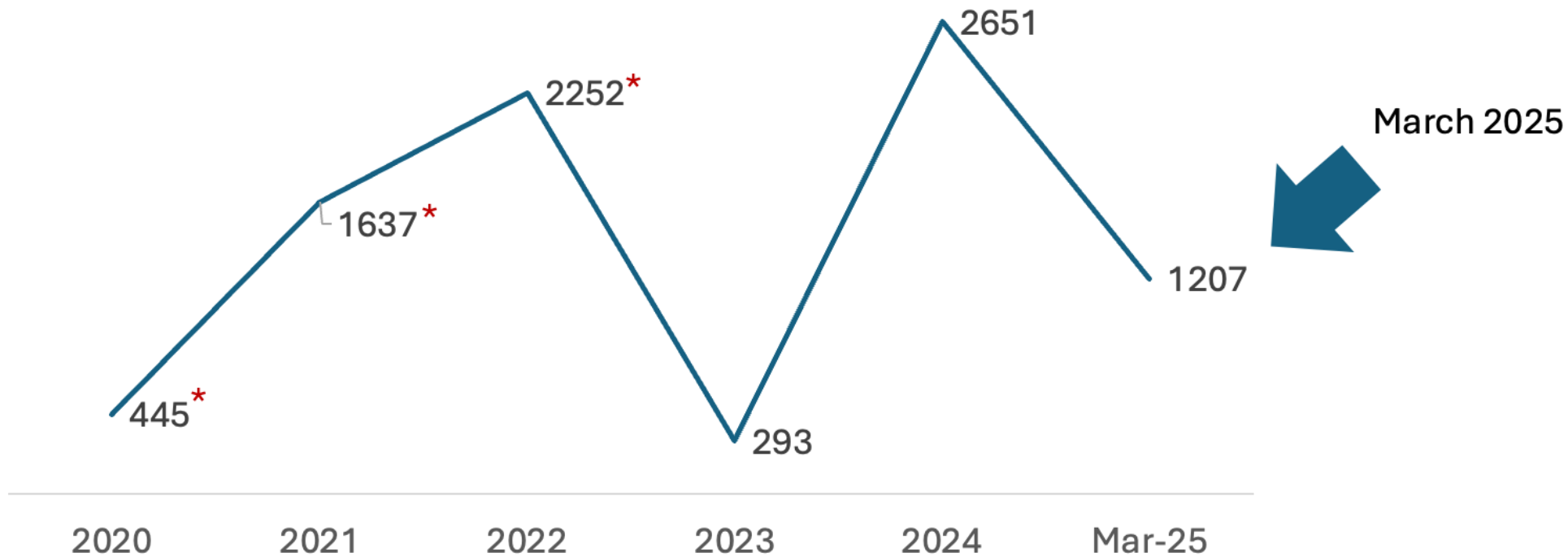
Buffalo Toronto Public Media | By [Ryan Zunner](#)
Published June 3, 2025 at 4:36 PM EDT



Ryan Zunner / BTM NPR

Progress on Inspections

Improvement in PRI inspection numbers:
Number of units inspected through PRI by year



* Included exterior-only inspections



Sean Ryan



Michael Gainer



James Gardner

City of Buffalo Mayoral Race - 2025

Lessons Learned

- Focus on implementation up front
- Required data reporting is critical
- Passionate leadership within government is necessary
- Use inside outside strategy; media can be a huge help



Photo credit: Anna Blatto, PPG