



CASHIER'S CHECK

No. 3618506869

93-38
929

DATE: DECEMBER 19, 2017

PAY FOUR THOUSAND DOLLARS AND 00 CENTS

\$ 4,000.00

TO THE ORDER OF: TREASURY OF THE UNITED STATES OF AMERICA

PURPOSE/REMITTER: TSCA-10-2018-0225

Location: 3618 Moscow

Kayla Michelle [Signature]
AUTHORIZED SIGNATURE

U.S. Bank National Association
Minneapolis, MN 55480

⑈ 36 18 506869 ⑈ ⑆ 09 2900383 ⑆ 150080 235 289 ⑈

RECEIVED
18 JAN 23 PM 1:04
HEARINGS CLERK
EPA -- REGION 10

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 10

RECEIVED

JAN 23 PM 1:05

HEARINGS CLERK
EPA--REGION 10

In the Matter of:)
)
)
Mr. Richard Beebe)
Welcome Home Property)
Management L.L.C.))
P.O. Box 8608)
805 North Main Street)
Moscow, Idaho 83843)
)
)
Respondent.)

DOCKET NO. TSCA-10-2018-0225

**EXPEDITED SETTLEMENT
AGREEMENT AND FINAL ORDER**

EXPEDITED SETTLEMENT AGREEMENT and FINAL ORDER

1. The U.S. Environmental Protection Agency (“EPA”) alleges that Welcome Home Property Management, L.L.C., (“Respondent”) failed to comply with Section 1018 of the Residential Lead-based Paint Hazard Reduction Act (§ 1018 Disclosure Rule).

2. Under the § 1018 Disclosure Rule, Respondent was required to: (1) provide lessees with an EPA-approved lead hazard pamphlet, pursuant to 40 C.F.R. § 745.107(a)(1); (2) include, as an attachment or within a contract to lease target housing, a statement by the lessee affirming receipt of the information required by 40 CFR §§ 745.113(b)(2) and (b)(3) and the lead hazard pamphlet required under 15 USC § 2686 as specified in 40 C.F.R. § 745.113(b)(4); (3) include, as an attachment or within a contract to lease target housing, the signatures of the lessors, agents, and lessees certifying to the accuracy of their statements, as well as dates of said signatures, pursuant to 40 C.F.R. § 745.113(b)(6); and (4) retain a copy of the completed disclosure records for no less than three years from the commencement date of the lease pursuant to 40 C.F.R. § 745.113(c)(1).

3. The EPA and Respondent agree that settlement of this matter for a civil penalty of **\$4,000** is in the public interest.

4. Not more than thirty (30) calendar days after the effective date of the Final Order, respondent shall deposit the civil penalty amount listed in paragraph 3 by one of the following methods.

A. Dispatch a cashier's or certified check or money order with a notation for TSCA-10-2018-0225 payable to the order of the "Treasury of the United States of America" to the following address:

U.S. Environmental Protection Agency
Fines and Penalties
Docket No. TSCA-10-2018-0225
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

B. Dispatch a cashier's or certified check or money order by an overnight/common carrier (e.g., FedEx or United Parcel Service of America, Inc.) with a notation for TSCA-10-2018-0225 payable to the order of the "Treasury of the United States of America" to the following address:

U.S. Environmental Protection Agency
Government Lockbox 979077
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, MO 63101

C. Make an electronic deposit for payment (Vendor Express, Fedwire, Pay.gov) at <http://www2.epa.gov/financial/makepayment> following the online directions for an electronic funds transfer (EFT).

5. Concurrently with paragraph 4, Respondent shall forward the signed original ESA with a copy of the cashier's or certified check or money order or documentation of a wire transfer to the following address with a certification that regarding the violations alleged herein, Respondent is in compliance with the §1018 Lead Disclosure Rule.

Jennifer Sulcer, Lead-Based Paint Compliance Officer
U.S. Environmental Protection Agency
Region 10, Mail Stop OCE-101
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

By written notice to Respondent, the EPA may change the address and/or person listed above.

6. The EPA is authorized to enter into this Expedited Settlement Agreement ("Agreement"), and this proceeding for the assessment of a civil penalty is simultaneously commenced and concluded, pursuant to Section 16 of TSCA and 40 C.F.R. § 22.13(b).

7. If Respondent fails to make the payment in a timely manner as required by Paragraph 4, then Respondent shall pay a stipulated penalty of \$16,000 per calendar day for every day the civil penalty payment is late, unless the EPA in writing excuses or mitigates the stipulated penalty if the EPA determines that the failure to comply occurred despite Respondent's exercise of good faith and due diligence.

8. In signing this Agreement, Respondent: (a) admits that Respondent is subject to the requirement(s) in Paragraph 2 (above); (b) admits that the EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein; (c) neither admits nor denies the factual allegations contained herein; (d) consents to the assessment of this penalty; and (e) waives any right to contest the allegations contained herein, and its right to appeal the proposed Final Order attached hereto.

9. By its signature below, Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that Respondent: (a) has corrected the alleged violation(s), (b) agrees to provide a deposit for payment of the civil penalty set forth in Paragraph 4; (c) agrees to submit a true and accurate proof of deposit for payment of said civil penalty to the EPA upon entry of the Final Order attached hereto.

10. Upon the effective date of this Agreement and subsequent payment of the civil penalty as set forth in paragraph 4, Respondent shall be resolved of liability for Federal civil penalties for the violation and facts only alleged herein.

11. No portion of the civil penalty or interest paid by Respondent pursuant to the requirements of this Agreement shall be claimed by Respondent as a deduction for federal, state, or local income tax purposes.

12. The EPA reserves all of its rights to take enforcement action for any other past, present, or future violations by Respondent of the §1018 Lead Disclosure Rule, any other federal statute or regulation, or this Agreement.

13. Upon signing and returning this Agreement to the EPA, Respondent waives the opportunity for a hearing or appeal pursuant to TSCA.

14. The penalty, including any stipulated penalties, specified above represents civil penalties assessed by the EPA, and shall not be deductible for purposes of federal, state, or local income taxes.

15. Failure of Respondent to remit the civil penalties provided herein will result in this matter being forwarded to the United States Department of Justice for collection of the amount due, plus stipulated penalties and interest at the statutory judgment rate provided in 28 U.S.C. § 1961.

16. Each party shall bear its own costs and fees, if any.

17. The Agreement authorized by the EPA's execution of the Final Order attached hereto constitutes a final order under 40 C.F.R. Part 22.

18. This Agreement is binding on the parties signing below, and in accordance with 40 C.F.R. 22.31(b), is effective upon filing.

IT IS SO AGREED,

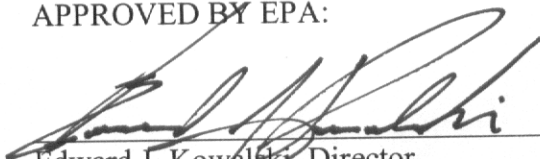
Respondent Name (print): Richard C Beebe Jr

Respondent Title (print): Manager / Member

Respondent Signature: 

Date: 12/20/17

APPROVED BY EPA:



Edward J. Kowalski, Director
Office of Compliance and Enforcement
EPA Region 10

Date: 1/09/2018


FINAL ORDER

Pursuant to the authority of Section 16 of TSCA, 15 U.S.C. § 2615, and according to the terms of this Agreement, IT IS HEREBY ORDERED THAT:

1. Welcome Home Property Management, L.L.C. ("Respondent") shall comply with all terms of the Expedited Settlement Agreement;
2. Respondent is assessed a civil penalty of (\$4,000); and
3. Respondent shall, in accordance with the payment provisions set forth in the Expedited Settlement Agreement, make payment via certified or cashier's check, money order, or through a wire transfer as described in the Expedited Settlement Agreement.

This Agreement shall be effective upon the filing of the Final Order by the Regional Hearing Clerk for the EPA, Region 10. Unless otherwise stated, all time periods stated herein shall be calculated in calendar days from such date.

IT IS SO ORDERED:


Richard Mednick
Regional Judicial Officer
EPA Region 10

Date January 23, 2018

Certificate of Service

The undersigned certifies that the original of the attached **EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER, In the Matter of:**

Welcome Home Property Management, L.L.C., Docket No.: TSCA-10-2018-0225 was filed with the Regional Hearing Clerk and served on the addressees in the following manner on the date specified below:

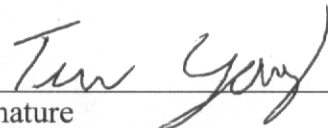
The undersigned certifies that a true and correct copy of the document was delivered to:

Maria Tartaglia, Lead-Based Paint Compliance Officer
U.S. Environmental Protection Agency
Region 10, Mail Stop OCE-101
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Further, the undersigned certifies that a true and correct copy of the aforementioned document was placed in the United States mail certified/return receipt to:

Mr. Richard Beebe
Welcome Home Property Management, L.L.C.
805 North Main Street
P.O. Box 8608
Moscow, Idaho 83843

DATED this 23 day of January, 2018



Signature

Teresa Young
Regional Hearing Clerk
EPA Region 10