

AFFIDAVIT OF FAILED EXAMINATION ATTEMPT

Under Housing Court Local Rule 3.015, complaints in eviction must include, at the time of filing, documentary evidence from the City of Cleveland Department of Building and Housing verifying the Lead-Safe Certification status of all residential units built before January 1, 1978, unless otherwise exempt under Cleveland Codified Ordinance Number 747-2019. Documentary evidence can include a current Lead-Safe certificate; a Lead-Safe affidavit; or an exemption certificate or letter. To obtain a Lead-Safe certificate, applicable owners must provide the Dept. of Building and Housing either a clearance examination report or a lead risk assessment. See Ord. No. 747-2019, Sec. 365.01 (a). **When a tenant interferes with a lead examination or assessment, the Court may grant an eviction, absent a Lead-Safe Certificate on the record, based on the below:**

1. I, _____, do hereby affirm and attest that I am the owner _____ or agent _____ of the residential unit located at _____, Cleveland, Ohio _____.
(Address) (Unit/apt#) (Zip Code)

2. A clearance examination/lead risk assessment was scheduled to take place on _____ by an Ohio licensed:

(Date)
 Clearance Technician _____
(Name, License Number)

Lead Risk Assessor _____
(Name, License Number)

Lead Inspector _____
(Name, License Number)

Attach proof of scheduling confirmation if available

3. Tenant (s) were provided a 24 Hour Notice of the lead examination on _____.
(Date)

Attach proof of the notice

4. Due to tenant's interference, access to the premises was denied on the scheduled examination date, and the attempt to inspect the premises for lead failed. The property has yet to be tested/cleared for lead hazards. Yes _____ or No _____.

5. A reattempt to examine was made on _____.
(Date(s) if applicable)

Attach proof if available

6. Unless evicted, tenants will continue to interfere with the inspections necessary to obtain a Lead-Safe Certificate, and plaintiff/landlord will remain out of compliance. Yes _____ or No _____.

Case Number _____

I, _____, do hereby understand that if an eviction is granted absent a Lead-Safe Certificate on the record, plaintiff/landlord has thirty (30) days from the move-out date to obtain a Lead-Safe Certificate from the Dept. of Building and Housing, and file proof thereof with the Court. Failure to do so may lead to an order prohibiting rental of the premises pursuant to R.C. 1923.15. Yes_____ or No_____.

The information provided herein is true, correct and complete to the best of my knowledge. I understand that any false statement(s) contained herein could result in civil and/or criminal penalties.

Affiant's signature

Affiant's printed name

SWORN TO AND SUBSCRIBED before me on this _____ day of _____, 20_____.

_____ Notary Public; My Commission expires _____