

Before the Iowa Department of Public Health

IN THE MATTER OF

Case Number: 2011-01-01

Melinda Glade
307 N Vine Street
Jefferson, IA 50129

NOTICE OF PROPOSED DENIAL OF
APPLICATION FOR CERTIFICATION
AS A LEAD-SAFE RENOVATOR

Pursuant to the provisions of Iowa Code Sections 135.105A and Iowa Administrative Code (IAC) 641—70.10(2), the Iowa Department of Public Health (Department) is proposing to deny your application to become a certified lead-safe renovator until you have successfully completed any terms of criminal probation.

Iowa Code Section 135.105A(5) states: "The department shall adopt rules regarding minimum requirements for training programs, certification, work practice standards, and suspension and revocation requirements, and shall implement the training and certification programs."

Iowa Administrative Code section 70.10(1) states: "When the department finds that the applicant, certified lead professional, certified elevated blood lead (EBL) inspection agency, or certified firm has committed any of the following acts, the department may deny an application for certification . . ."

ab. Been convicted of a felony or misdemeanor related to lead professional activities or the conviction of any felony or misdemeanor that would affect the ability of the firm or individual to perform lead professional activities. A copy of the record of conviction or plea of guilty shall be conclusive evidence.

On May 17, 2010, the Department received your application for certification as a lead-safe renovator. In this application, you answered "yes" to the following questions:

"Have you ever been convicted of, found guilty of, or entered a plea of no contest to a felony or misdemeanor crime (other than minor traffic violations with fines under \$100)?"

"Have you within the past 5 years engaged in the illegal or improper use of drugs other chemical substances?"

You been convicted of the following crimes:

- 1998 5th degree theft
- 2000 OWI
- 2000 Possession of drug paraphernalia
- 2010 3rd degree burglary of unoccupied vehicle

Therefore, the Department is proposing to deny your application to be certified as a lead-safe renovator.

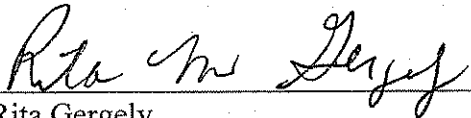
You have the right to request a hearing concerning this Notice of Proposed Denial of Application for Certification. A request for a hearing must be submitted in writing to the

Department by certified mail, return receipt requested, within twenty (20) days of this Notice of Proposed Denial of Application for Certification. The written request must be sent to:

Iowa Department of Public Health
Attention: Rita Gergely
Bureau of Lead Poisoning Prevention
321 East 12th Street
Des Moines, Iowa 50319-0075

If the request is made within the twenty (20) day time limit, the proposed action is suspended pending the outcome of the hearing. Prior to or at the hearing, the Department may rescind the notice upon satisfaction that the reason for the action has been or will be removed.

If no request for a hearing is received within the twenty (20) day time period, the disciplinary action proposed herein shall become effective and shall be final agency action.



Rita Gergely
Chief
Bureau of Lead Poisoning Prevention
(515) 242-6340

1/18/2011

Date