

STATE OF VERMONT
WASHINGTON COUNTY, SS.

FILED

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STATE OF VERMONT,)
Plaintiff,)
)
v.)
)
STOR A LOT VT, LLC,)
Defendant.)

SUPERIOR COURT
WASHINGTON COUNTY
Washington Superior Court
Docket No. 670-10-8 Wncv

CONSENT DECREE, FINAL ORDER AND JUDGMENT

To resolve the allegations in the Complaint filed in the above captioned matter,
Defendant Stor A Lot VT, LLC stipulates and agrees to the following:

1. Defendant shall complete essential maintenance practices (“EMPs”) at 278 East Montpelier Road, Montpelier, Vermont 05651 (“the property”) as follows:
 - a. Not later than October 6, 2008, Defendant shall have an EMP contractor who is certified by the Vermont Department of Health complete all EMPs required by the Lead Law in the interiors of the properties.
 - b. Not later than October 31, 2008, Defendant shall have EMP contractor who is certified by the Vermont Department of Health complete all EMPs required by the Lead Law on the exteriors of the properties.
 - c. Within 10 days of complying with subpart (a) of this section for each property, Defendant will file a written verification with: Robert F. McDougall, Assistant Attorney General, Office of the Attorney General, 109 State Street, Montpelier, Vermont 05609, which shall certify that interior EMPs are complete.
 - d. Not later than November 10, 2008, Defendant will file with the Vermont Department of Health, Defendant’s insurance carrier and with the Office of the Attorney General at the address listed in subpart (c), a completed EMP compliance statement for each

Office of the
ATTORNEY
GENERAL
109 State Street
Montpelier, VT
05609

of the properties, and will give a copy to an adult in each rented unit of the compliance statement for that tenant's property.

2. Defendant represents that the property is the only pre-1978 residential property or child care facilities located in Vermont in which Defendant has an ownership interest or for which it provides property management services.
3. Defendant shall fully and timely comply with the requirements of the Vermont Lead Law, 18 V.S.A., Chapter 38, as long as it maintains any ownership or property management service interest in the properties or in any other pre-1978 residential housing in which he acquires an ownership interest.

PENALTIES

4. Defendant shall pay a civil penalty of \$5,000.00 with \$3,000.00 being paid no later than October 31, 2008 and the remaining \$2,000 to be paid no later than April 30, 2009. If Defendant no longer owns the property as of April 30, 2009, it shall not be required to pay the remaining \$2,000.00 due to the State of Vermont at that time, provided that the transfer of all other obligations under this agreement occurs as described in paragraph 7 below.
5. If Defendant transfers the ownership of the property, on or before April 30, 2009 it shall notify the Attorney General's Office in writing at the address listed in paragraph 6 below.
6. Payment of the civil penalty amount shall be made to the "State of Vermont" and shall be sent to: Robert F. McDougall, Assistant Attorney General, Office of the Attorney General, 109 State Street, Montpelier, Vermont 05609.

OTHER RELIEF

7. This Consent Decree is binding on Defendant, however, sale of any of the properties may not occur unless Defendant has complied with all obligations under this Consent Decree, and, in particular, all obligations in paragraphs 1 and 4 have been completed or this Consent Decree is amended in writing to transfer to the buyer or other transferee all remaining obligations.
8. Transfer of ownership of any of the properties shall be consistent with Vermont law, including the provisions of 18 V.S.A. § 1767 specifically relating to the transfer of ownership of target housing.
9. This Consent Decree shall not affect marketability of title.
10. Should Defendant fully transfer or sell its ownership interest in any of the properties after completing all obligations in paragraphs 1 and 4, and being current with all obligations under this Consent Decree, its obligations with respect to that particular property under this Consent Decree is extinguished. However, nothing in this Consent Decree in any way affects the obligations of future owners of any of the properties under Vermont law, including under the Vermont Lead Law.
11. Nothing in this Consent Decree in any way affects Defendant's other obligations under state, local, or federal law.
12. Any future failure by Defendant to comply with the terms of this Consent Decree shall be subject to additional penalties of no less than \$1,000.00 per violation per day for each day the violation exists.

STIPULATION

Defendant acknowledges receipt of and voluntarily agrees to the terms of this

Consent Decree.

DATED at Silver Spring, Maryland this 29 day of September, 2008.
(town) (state)

Daniel A. Myers

Daniel A. Myers on behalf of Stor A Lot VT, LLC

Subscribed before me this 29 day of September, 2008.

Elizabeth A. Moylan

Notary Public

ELIZABETH A. MOYLAN

My Commission expires:

NOTARY PUBLIC STATE OF MARYLAND

My Commission Expires February 13, 2010

ACCEPTED on behalf of the State of Vermont:

DATED at Montpelier, Vermont this 7th day of ~~September~~ ^{October}, 2008.

STATE OF VERMONT
WILLIAM H. SORRELL
ATTORNEY GENERAL

By:

Robert F. McDougall
Robert F. McDougall
Assistant Attorney General
Office of the Attorney General
109 State Street
Montpelier, Vermont 05609
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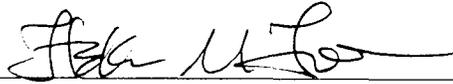
DECREE, ORDER AND FINAL JUDGMENT

This Consent Decree is accepted and entered as a Decree, Order and Final Judgment of this Court in the matter of *State of Vermont v. Stor A Lot VT, LLC*, Docket No.

670-10-08 Wncv.

SO ORDERED. *As the deadline in ¶ 1(a) has passed, the court hereby extends it to October 31, 2008.*

DATED at Montpelier, Vermont this 9th day of ~~September~~ ^{October}, 2008.



Washington Superior Court Judge