

STATE OF VERMONT  
WASHINGTON COUNTY, SS.

FILED  
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STATE OF VERMONT, )  
Plaintiff, )  
v. )  
DENNIS LAFERRIERE, )  
Defendant. )

Washington Superior Court  
Docket No. Wncv  
816-10-09

**CONSENT DECREE, FINAL ORDER AND JUDGMENT**

To resolve the allegations in the Complaint filed in the above captioned matter,  
Defendant Dennis Laferriere stipulates and agrees to the following:

1. Defendant shall complete essential maintenance practices (“EMPs”) at 298 Main Street in Lyndonville, Vermont (“the property”) as follows:
  - a. Not later than November 30, 2009, Defendant will file with the Vermont Department of Health, Defendant’s insurance carrier, and will give a copy to an adult in each rented unit of the property, a completed EMP compliance statement for the property, and will also provide a copy of the completed EMP compliance statement to: Robert F. McDougall, Assistant Attorney General, Office of the Attorney General, 109 State Street, Montpelier, Vermont 05609.
2. Defendant shall fully and timely comply with the requirements of the Vermont lead law, 18 V.S.A., Chapter 38, as long as he maintains any ownership interests in the property or any other pre-1978 residential housing in which he has or acquires an ownership interest or provides property management services (unless by property management contract the Defendant explicitly is not responsible for EMPs).

**PAYMENT**

3. Defendant shall pay the sum of ten thousand dollars (\$10,000.00) in civil penalties to the State of Vermont for the filing of a false Affidavit of Performance of Essential

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ATTORNEY  
GENERAL  
109 State Street  
Montpelier, VT  
05609

Maintenance Practices for the property in June 2008 and to resolve the other allegations of the Complaint.

4. The payment schedule for the ten thousand dollar civil penalty shall be as follows: not later than the last day of each month, Defendant shall pay at least nine hundred dollars (\$900.00) to the State of Vermont until the total penalty amount is paid in full. Payment shall be made to the "State of Vermont" and shall be sent to the Attorney General's Office at the address listed in paragraph 1. The first payment of at least nine hundred dollars shall be due no later than November 30, 2009.

#### **OTHER RELIEF**

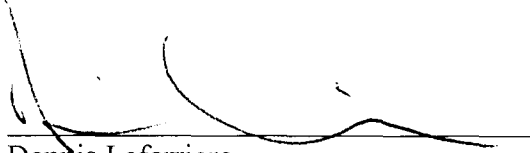
5. This Consent Decree is binding on Defendant, however, sale of the property may not occur unless all obligations in paragraphs 1 through 4 have been completed or this Consent Decree is amended in writing to transfer to the buyer or other transferee all remaining obligations.
6. Transfer of ownership the property 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.
7. This Consent Decree shall not affect marketability of title.
8. Nothing in this Consent Decree in any way affects the obligations of future owners of any of the property under Vermont law, including under the Vermont lead law.
9. Nothing in this Consent Decree in any way affects Defendant's other obligations under state, local, or federal law.

10. Defendant shall not rent, or offer for rent, any unit in the property which is not compliant with the Vermont lead law until EMPs have been completed and the EMP compliance statement distributed as described in paragraph 1 above.
11. Any future failure by Defendant to comply with the Vermont lead law at the property or at any of the other properties referenced through this Consent Decree shall be subject to additional penalties of no less than one thousand dollars (\$1,000.00) per violation per day for each day the violation exists.
12. In addition to any other penalties which might be appropriate under Vermont law, any future failure by Defendant to comply with the terms of this Consent Decree shall be subject to a liquidated civil penalty in the amount of ten thousand dollars (\$10,000.00) and additional penalties of no less than one thousand dollars (\$1,000.00) per violation of the Consent Decree, per day for each day the violation exists.

**STIPULATION**

Defendant Dennis Laferriere acknowledges receipt of and voluntarily agrees to the terms of this Consent Decree and waives any formal service requirements of the Complaint, Consent Decree, and Decree, Order and Final Judgment.

DATED at Montpelier, Vermont this 27th day of October, 2009.

  
Dennis Laferriere

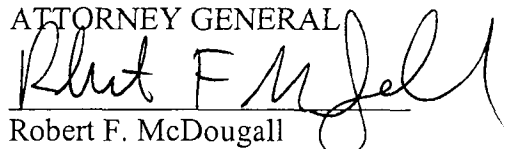
ACCEPTED on behalf of the State of Vermont:

DATED at Montpelier, Vermont this 27<sup>th</sup> day of October, 2009.

STATE OF VERMONT

WILLIAM H. SORRELL  
ATTORNEY GENERAL

By:

  
Robert F. McDougall  
Assistant Attorney General  
Office of the Attorney General  
109 State Street  
Montpelier, Vermont 05609  
802.828.3186

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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. Dennis Laferriere*, Docket

No. 816-10-09 Wncv.

SO ORDERED.

DATED at Montpelier, Vermont this 2 day of November, 2009.



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Washington Superior Court Judge  
Geoffrey W. Crawford, Presiding

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