

STATE OF VERMONT

SUPERIOR COURT
Washington Unit

CIVIL DIVISION
Docket No. 35-1-09

STATE OF VERMONT,
Plaintiff,

v.

SISTERS and BROTHERS INVESTMENT
GROUP, LLP,
Defendant.

ASSURANCE OF DISCONTINUANCE

NOW COMES the State of Vermont, by and through Vermont Attorney General William H. Sorrell, and hereby accepts from Sisters and Brothers Investment Group, LLP (“Defendant”) this Assurance of Discontinuance pursuant to 9 V.S.A. § 2459:

WHEREAS on January 20, 2009, this Court approved the parties’ Stipulation of Settlement and Consent Decree in the above captioned matter and entered a Decree, Order and Final Judgment (hereinafter “Order”). See Stipulation of Settlement and Consent Decree, State of Vermont v. Sisters and Brothers Investment Group, LLP, No. 35-1-09 Wncv (Toor, J. Jan. 20, 2009) (copy attached);

WHEREAS under the terms of the Order, Defendant was required, by February 15, 2009, to complete essential maintenance practice (“EMP”) compliance statements for 22 pre-1978 rental properties it owns in Vermont;

WHEREAS by February 15, 2009, completed EMP compliance statements for the 22 properties were to be filed with the Vermont Department of Health, Defendant’s insurance carrier and with the Office of the Attorney General, and an adult tenant in each rented unit of the properties;

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

WHEREAS under the terms of both the Order and the Vermont lead law, 18 V.S.A., Chapter 38, Defendant is required to file EMP compliance statements for the 22 properties annually with the Vermont Department of Health, Defendant's insurance carrier and an adult tenant in each rented unit of the properties;

WHEREAS under the terms of the Order, Defendant is required to "fully and timely comply with the requirements of the Vermont lead law... 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 it acquires an ownership interest." *Id.* at ¶ 7;

WHEREAS the State of Vermont was satisfied that Defendant had satisfactorily complied with the terms of the Order, including the filing of EMP compliance statements in 2009;

WHEREAS the State of Vermont alleges that Defendant failed to file EMP compliance statements for the 22 properties in a timely fashion in 2010;

AND WHEREAS the State of Vermont is willing to accept this Assurance of Discontinuance;

THEREFORE the parties agree as follows:

1. Defendant admits that it failed to timely file EMP compliance statements for the 22 properties in 2010 with the Vermont Department of Health, Defendant's insurance carrier and an adult tenant in each rented unit of the properties.
2. Defendant admits that it violated the terms of the Order, specifically those provisions which require it to fully and timely comply with the Vermont lead law.
3. No later than December 30, 2010, Defendant shall complete all EMP work necessary at the 22 properties and file EMP compliance statements for the properties with

Vermont Department of Health, Defendant's insurance carrier and an adult tenant in each rented unit of the properties.

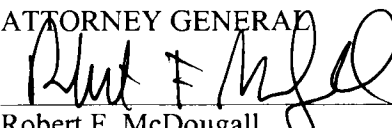
4. No later than December 30, 2010, Defendant shall provide the Office of the Attorney General with written confirmation that EMPs have been completed and the compliance statements have been filed as described in paragraph 3 above.
5. Defendant shall pay to the State of Vermont, in the care of the Office of the Attorney General, the sum of three thousand three hundred dollars (\$3,300.00) in civil penalties.
6. This Assurance of Discontinuance resolves only the existing claims the State of Vermont has against Defendant relating to the untimely filing of EMP compliance statements in 2010.
7. Nothing in this Assurance of Discontinuance shall impair or limit the private right of action that any consumer, person, or entity may have against Defendant.
8. Nothing in this Assurance of Discontinuance shall alter the terms or conditions set forth in the January 21, 2009 Stipulation of Settlement and Consent Decree. All obligations set out under that document remain.

DATED at Montpelier, Vermont this 10th day of December, 2010.

STATE OF VERMONT

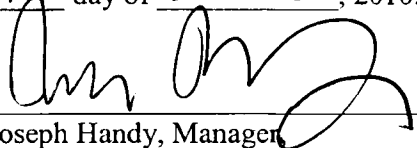
WILLIAM H. SORRELL
ATTORNEY GENERAL

By:


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802.828.3186

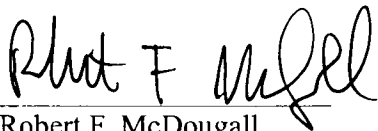
Office of the
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DATED at Burlington, Vermont this 7th day of December, 2010.



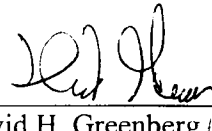
Joseph Handy, Manager
as authorized agent on behalf of
Sisters and Brothers Investment Group, LLP

APPROVED AS TO FORM:



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For the State of Vermont



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