

VT SUPERIOR COURT
WASHINGTON UNIT
CIVIL DIVISION

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STATE OF VERMONT
SUPERIOR COURT
WASHINGTON UNIT

2018 OCT 31 PM 4:10

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2018 NOV -5 P 2:24

STATE OF VERMONT,)
)
 Plaintiff,)
)
 v.)
)
 SOON KWON,)
)
 Defendant.)

FILED

CIVIL DIVISION
Docket No. 289-5-15 FILED

STIPULATION OF SETTLEMENT AND CONSENT DECREE

To resolve the allegations in the Complaint filed in the above-captioned matter, Plaintiff State of Vermont and Defendant Soon Kwon (“Defendant”) stipulate and agree to the following:

1. Defendant is the current owner of two rental properties located at: 66-68 South Union Street and 41 South Willard Street, both located in Burlington (collectively, “the Properties”). Defendant relinquished 34 Colchester Avenue and 40-42 Colchester Avenue on October 11, 2016.
2. This settlement is to resolve alleged violations that occurred at the 41 South Willard Street property. No other property is alleged to have a violation.
3. 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 or property management interest in the Properties and in any other pre-1978 rental housing in which he currently has, or later acquires, an ownership or property management interest.

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

SETTLEMENT PAYMENT

4. Defendant shall pay ten thousand dollars (\$10,000) for the filing of a false EMP compliance statement for the property at 41 South Willard Street. Payment of the \$10,000 shall be as follows:

- a. Upon signing this settlement, Defendant has paid or will pay three thousand dollars (\$3,000) via check(s) payable to “the State of Vermont” and sent to:
Justin E. Kolber, Office of the Attorney General, 109 State Street, Montpelier VT 05609.
- b. As of July 20, 2018, Defendant has expended at least seven thousand dollars, including the actual cost of materials and labor, on lead hazard reduction improvements at any or all of the Properties.

OTHER RELIEF

5. This Stipulation of Settlement and Consent Decree is binding on Defendant, however, sale of any pre-1978 rental property may not occur unless Defendant has complied with all obligations under this Stipulation of Settlement and Consent Decree, or this Stipulation of Settlement and Consent Decree is amended in writing to transfer to the buyer or other transferee all remaining obligations.

6. Transfer of ownership of any of Defendant’s pre-1978 rental properties shall be consistent with Vermont law, including the provisions of 18 V.S.A. § 1767 specifically relating to the transfer of ownership of pre-1978 rental housing.

7. This Consent Decree shall not affect marketability of title.

8. Nothing in this Consent Decree in any way affects Defendant’s other obligations under state, local, or federal law.

STIPULATION

Defendant Soon Kwon acknowledges receipt of and voluntarily agrees to the terms of this Stipulation of Settlement and Consent Decree:

DATED at South Burlington Vermont this 26th day of October, 2018.



Soon Kwon

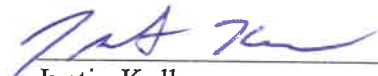
ACCEPTED on behalf of the State of Vermont:

DATED at Montpelier, Vermont this 31st day of October, 2018.

STATE OF VERMONT

THOMAS J. DONOVAN, JR.
ATTORNEY GENERAL

By:



Justin Kolber
Assistant Attorney General
Office of the Attorney General
109 State Street
Montpelier, Vermont 05609
802.828.3186

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. Soon Kwon*, Docket No. 289-5-15.

SO ORDERED.

DATED at Montpelier, Vermont this 5th day of November, 2018.

May Mills Seachrist

Washington Superior Court Judge

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