

SETTLEMENT AGREEMENT

The Commissioner of Labor (hereinafter referred to as "Commissioner") and Village Green Holdings LLC (hereinafter referred to as "Employer") hereby agree as follows:

The Commissioner amends the Safety Order(s) and Notification(s) of Penalty, IOSHA Inspection No. 316547637 issued to the Employer on March 28, 2013 in the following manner:

SAFETY ORDER 01:

Item 1: Knowing is reduced to a serious violation and the penalty is reduced to \$4500.

SAFETY ORDER 02:

Item 1a and b: Upheld. Penalty reduced to \$2925
Item 2a through 2c: Upheld and grouped with items 3a and 3b. Penalty reduced to \$2925
Item 3a and b: Upheld and grouped with items 2a through 2c.
Item 4a-4f: Upheld. Penalty reduced to \$2925
Item 5a and 5b: Upheld. Penalty reduced to \$2925.
Item 6: Upheld. Penalty reduced to \$2925
Item 7: Upheld. Penalty reduced to \$2925
Item 8: Upheld. Penalty reduced to \$2925
Item 9: Upheld. Penalty reduced to \$2925

Employer agrees to amend language on their OSHA certified training corporate wide forms to add asbestos and lead paint and conduct lead paint and asbestos training corporate wide or at the minimum in those properties known to contain PACM by July 25th, 2013.

Employer agrees to use a work order to document all repairs and modifications to units corporate wide which includes those units where a tenant has not conducted a final walk through.

Employer agrees to have property manager monitor all work orders done in PACM areas.

Employer understands that a request must be made in writing to IOSHA for a Petition for Modification of Abatement prior to the above abatement date if abatement cannot be met by April 23, 2013 (for the citations) and July 25, 2013 for the above (corporate wide abatement) and an extension is required.

The TOTAL AGREED PENALTY is \$27, 900.00

The first of six payments of \$4650 will be due and payable on the 25th of May and the next five payments are due on the 25th of each consecutive month with the last payment of \$4650 due and payable on October 25, 2013.

THE EMPLOYER IS SATISFIED WITH THE AMENDMENTS STATED ABOVE AND ACCORDINGLY WAIVES ITS RIGHT TO FILE A NOTICE OF CONTEST OF THE SAFETY ORDER(S) AND NOTIFICATION(S) OF PENALTY AS AMENDED AND AGREES TO WITHDRAW ANY PREVIOUSLY FILED NOTICES OF CONTEST IN THIS MATTER.

Upon full execution of this Settlement Agreement ("Agreement") the Employer will post this Agreement for three (3) working days or until abatement is completed, whichever period is longer.

The Employer further agrees that if the AGREED PENALTY is not paid as agreed that the full amount of the penalty initially assessed against the Employer in the Safety Order(s) and Notification(s) of Penalty which are the subject of this Agreement is due and payable immediately.

The Safety Order(s) and Notification(s) of Penalty are, and shall be, herein a final and enforceable Order of the Board of Safety Review.

Except for this Agreement, and IOSHA matters arising out of this Agreement, and any other subsequent IOSHA proceedings between the parties, none of the foregoing agreements, statements, findings, and actions taken by Employer shall be deemed an admission by Employer of the allegations contained within the Safety Order(s) and Notification(s) of Penalty. The agreements, statements, findings and actions taken herein are made in order to compromise and settle this IOSHA matter economically and amicably, and they shall not be used for any other purpose, except as herein stated.

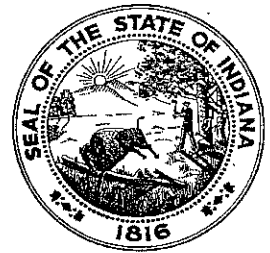
VILLAGE GREEN HOLDINGS, LLC

By: [Signature]
Title: COO
Date: 4/21/13

COMMISSIONER OF LABOR

By: [Signature]
Title: Director
Date: 4/22/13

Indiana Department of Labor
Indiana Occupational Safety and Health Administration
402 West Washington Street
Room W195
Indianapolis, IN 46204-2751
Phone: 317/232-1979 Fax: 317/233-8509



Certified mail # 7003 1010 00035732 7034 3-28-13 JHO

Safety Order and Notification of Penalty

To: Village Green Holdings LLC,
and its successors
30833 Northwestern Highway
Suite 300
Farmington Hills, MI 48334

Inspection Number: 316547637

Inspection Date(s): 01/07/2013 - 01/18/2013

Issuance Date: 03/28/2013

Inspection Site:

2036 N. Walnut Street
Blmgtn, IN 47404

The violation(s) described in this Safety Order and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

An inspection of your place of employment has revealed conditions which we believe do not comply with the provisions of the Indiana Occupational Safety and Health Act (Indiana Code Chapter 22-8-1.1) or the standards or rules adopted thereunder. Accordingly, enclosed please find safety order(s) and notification(s) of penalty describing such violation(s) with references to applicable standards, rules, or provisions of the statute and stating the amount of any penalty(ies).

Informal Conference - Please be advised that it may be possible to informally settle any potential dispute without initiating the more elaborate proceedings brought on by a petition for review. Prior to filing a petition for review, you may request an informal conference concerning any of the results of the inspection (safety orders, penalties, abatement dates, etc.) by contacting the Indiana Department of Labor/IOSHA, preferably by telephone, in a prompt manner. Please be advised that a request for an informal conference cannot extend the fifteen working day period for filing a petition for review. Informal conferences frequently resolve any possible disputes, and therefore you are urged to take advantage of this opportunity. Because of the limited time period and in order to facilitate scheduling, any requests for an informal conference should be made promptly upon your receipt of the safety order(s) and notification(s) of penalty.

Right to Contest - You are hereby also notified that you are entitled to seek administrative review of the safety order(s), penalty(ies), or both by filing a written petition for review at the above address postmarked within fifteen working days of your receipt of the safety order(s) and notification(s) of penalty. ("Working days" means

Mondays through Fridays, but does not include Saturdays, Sundays, legal holidays under a state statute or days on which the Indiana Department of Labor's offices are closed during regular business hours). If you do not file such a petition for review (contest), the safety order(s) and penalty(ies) shall be deemed final orders of the Board of Safety Review and not subject to review by any court or agency. The issuance of a safety order does not constitute a finding that a violation has occurred unless no petition for review is filed, or if a petition for review (contest) is filed, it must contain a statement of its basis and should reference the above inspection number. Upon receipt of your petition for review, we will affirm, amend or dismiss the safety order(s) and notification(s) of penalty. If we affirm, your petition for review will be granted (unless it was not timely) and the dispute will be certified by the Board of Safety Review for further proceedings. The Board of Safety Review is an independent agency appointed by the governor with authority to conduct hearings and to issue decisions concerning disputed safety order(s) and notification(s) of penalty. If we amend the safety order(s) or notification(s) of penalty, your petition for review shall be deemed moot. However, you will then be given an opportunity to file a petition for review concerning the amended safety order(s) and notification(s) of penalty.

Please be advised that an employee or representative of employees may file a petition for review to contest the reasonableness of the time stated in the safety order(s) for the abatement of any violation.

Posting - Upon receipt of any safety order(s) you are required to post such safety order(s), or a copy thereof, unedited, at or near each place an alleged violation referred to in the safety order(s) occurred. However, if your operations are such that it is not practicable to post the safety order(s) at or near each place of alleged violation, such safety order(s) shall be posted, unedited, in a prominent place where it will be readily observable by all affected employees. For example, if you are engaged in activities which are physically dispersed, the safety order(s) may be posted at the location from which the employees operate to carry out their activities. You must take steps to ensure that the safety order is not altered, defaced, or covered by other material. Posting shall be until the violation is abated, or for three working days, whichever is longer.

Penalties - Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Abatement does not constitute payment of penalties.

Abatement - The conditions cited in the safety order(s) must be corrected (abated) on or before the date shown for each item on the safety order(s) and notification(s) of penalty unless:

(1) You file a petition for review concerning the violation, in which case the full abatement period shall commence from the issuance of a final decision by the Board of Safety Review or the courts which requires compliance with the safety order; or

(2) The abatement period is extended by the granting of a petition for modification of abatement date.

PMAs - The petition for modification of abatement date is a manner in which you may seek additional time to correct (abate) a violation without having to file a petition for review concerning the safety order, or after the expiration of the time period to file such a petition for review when it becomes apparent that you need extra time to abate the violation. A petition for modification of abatement date shall be in writing and shall include the following information:

(1) All steps you have taken, and the dates of such actions, in an effort to achieve compliance during the prescribed abatement period.

(2) The specific additional abatement time necessary in order to achieve compliance.

(3) The reasons such additional time is necessary, including the unavailability of professional or technical personnel or of materials and equipment, or because necessary construction or alteration of facilities cannot be completed by the original abatement date.

(4) All available interim steps being taken to safeguard employees against the cited hazard during the abatement period.

(5) A certification that a copy of the petition has been posted, and if appropriate, served on the authorized representative of affected employees, and a certification of the date upon which such posting and service was made.

A petition for modification of abatement date shall be filed with the Indiana Department of Labor/IOSHA no later than the close of the next working day following the date on which abatement was originally required. A later-filed petition shall be accompanied by the employer's statement of exceptional circumstances explaining the delay. A copy of such petition shall be posted in a conspicuous place where all affected employees will have notice thereof or near such location where the violation occurred. The petition shall remain posted until the time period for the filing of a petition for review of the Commissioner's granting or denying the petition expires. Where affected employees are represented by an authorized representative, said representative shall be served a copy of such petition.

Notification of Corrective Action - Correction of the alleged violations which have an abatement period of thirty (30) days or less should be reported in writing to us promptly upon correction. A "Letter of Abatement" form and an "Abatement Photographs" worksheet are enclosed for your assistance in providing adequate documentation of abatement. Reports of corrections should show specific corrective action on each alleged violation and the date of such action. On alleged violations with abatement periods of more than thirty (30) days, a written progress report should be submitted, detailing what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, we should be so advised. Timely correction of an alleged violation does not affect the initial proposed penalty.

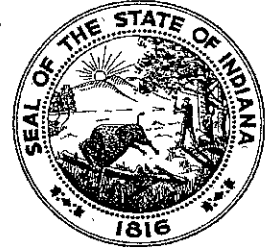
Followup Inspections - Please be advised that a followup inspection may be made for the purpose of ascertaining that you have posted the safety order(s) and corrected the alleged violations. Failure to correct an alleged violation may result in additional penalties for each day that the violation has not been corrected.

Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the Indiana Department of Labor/IOSHA at the address shown above.

Notice to Employees - The law gives an employee or his/her representative the opportunity to object to any

abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the Indiana Department of Labor/IOSHA at the address shown above within fifteen (15) working days (excluding weekends and State holidays) or receipt by the employer of this safety order and penalty.

If you wish additional information, you may direct such requests to us at the address or telephone number stated above.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

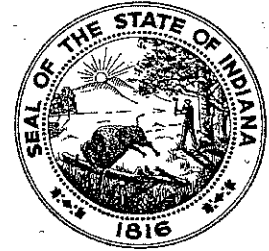
An informal conference has been scheduled with IOSHA to discuss the safety order(s) issued on 03/28/2013. The conference will be held at the IOSHA office located at 402 West Washington Street, Room W195, Indianapolis, IN 46204 on _____ at _____.

_____. Employees and/or representatives of employees have a right to attend an informal conference.

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 316547637
Inspection Dates: 01/07/2013 - 01/18/2013
Issuance Date: 03/28/2013



Safety Order and Notification of Penalty

Company Name: Village Green Holdings LLC
Inspection Site: 2036 N. Walnut Street, Blmgt, IN 47404

(AP)

Safety Order 1 Item 1 Type of Violation: **Knowing**

29 CFR 1926.1101(e)(1): All class I, II and III asbestos work shall be conducted within regulated areas. All other operations covered by this standard shall be conducted within a regulated area where airborne concentrations of asbestos exceed, or there is a reasonable possibility they may exceed the PEL. Regulated areas shall comply with the requirements of paragraphs (2), (3), (4) and (5) of this section:

Building A, apartment 19A - No regulated area was established for the service manager and/or maintenance staff who performed Class I and Class III asbestos work to sections of the kitchen ceilings containing identified PACM of up to 24 square feet, for up to 8 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013
Proposed Penalty: \$63,000.00

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 316547637
Inspection Dates: 01/07/2013 - 01/18/2013
Issuance Date: 03/28/2013



Safety Order and Notification of Penalty

Company Name: Village Green Holdings LLC
Inspection Site: 2036 N. Walnut Street, Blmgtu, IN 47404

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness or injury resulting from an accident.

Safety Order 2 Item 1a Type of Violation: **Serious**

29 CFR 1926.1101(f)(2)(i): Each employer who has a workplace or work operation covered by this standard shall ensure that a "competent Person" conducts an exposure assessment immediately before or at the initiation of the operation to ascertain expected exposures during that operation or workplace. The assessment must be completed in time to comply with requirements which are triggered by exposure data or the lack of a "negative exposure assessment" and to provide information necessary to assure that all control systems planned are appropriate for that operation and will work properly:

Building A, apartment 19A and Building D, apartment 20D - No competent person conducted an initial exposure assessment for the service manager and/or maintenance staff who performed Class I and Class III asbestos work of up to 24 square feet for up to 8 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013
Proposed Penalty: \$4,500.00

Safety Order 2 Item 1b Type of Violation: **Serious**

29 CFR 1926.1101(f)(3)(i): Class I and II operations. The employer shall conduct daily monitoring that is representative of the exposure of each employee who is assigned to work within a regulated area who is performing Class I or II work, unless the employer pursuant to (f)(2)(ii) of this section, has made a negative exposure assessment for the entire operation:

Building A, apartment 19A - No daily monitoring was performed for the service manager and/or maintenance staff while they performed Class I asbestos work for up to 8 hours per renovation. The work was performed on sections of kitchen ceilings identified as PACM of up to 24 square feet.

Date By Which Violation Must be Abated: 04/23/2013

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

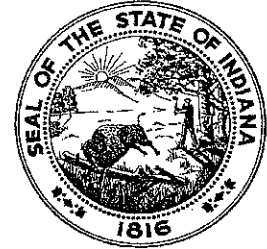
Inspection 316547637

Number:

Inspection Dates: 01/07/2013 -

01/18/2013

Issuance Date: 03/28/2013



Safety Order and Notification of Penalty

Company Name: Village Green Holdings LLC

Inspection Site: 2036 N. Walnut Street, Blmgtm, IN 47404

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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness or injury resulting from an accident.

Safety Order 2 Item 2a Type of Violation: **Serious**

29 CFR 1926.1101(g)(1)(i): Vacuum cleaners equipped with HEPA filters to collect all debris and dust containing ACM PACM, except as provided in paragraph(g)(8)(ii) of this section in the case of roofing material:

Building A, apartment 19A and building D, apartment 20D - No vacuum cleaners equipped with HEPA filters were used to collect debris and dust containing identified PACM. The service manager and/or maintenance staff were potentially exposed to asbestos fibers while they performed Class I and Class III asbestos work and clean-up for up to 8 hours per day per renovation.

Date By Which Violation Must be Abated: 04/23/2013

Proposed Penalty: \$4,500.00

Safety Order 2 Item 2b Type of Violation: **Serious**

29 CFR 1926.1101(g)(1)(ii): Wet methods, or wetting agents to control employee exposures during asbestos handling, mixing, removal, cutting, application and cleanup, except where employees demonstrate that the use of wet methods is infeasible due to for example, the creation of electrical hazards, equipment malfunction, and, in roofing, except as provided in paragraph (g)(8)(ii) of this section:

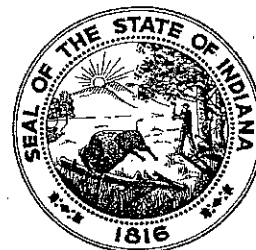
Building A, apartment 19A and building D, apartment 20D - No wet methods or wetting agents were used to inhibit asbestos fibers from becoming airborne during asbestos work and clean-up. The service manager and/or staff were exposed to asbestos fibers while they performed Class I and Class III asbestos work and clean-up for up to 8 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 316547637
Inspection Dates: 01/07/2013 - 01/18/2013
Issuance Date: 03/28/2013



Safety Order and Notification of Penalty

Company Name: Village Green Holdings LLC
Inspection Site: 2036 N. Walnut Street, Blmgt, IN 47404

Safety Order 2 Item 2c Type of Violation: **Serious**

29 CFR 1926.1101(g)(1)(iii): Prompt clean-up and disposal of wastes and debris contaminated with asbestos in leak-tight containers except in roofing operations, where the procedures specified in paragraph (g)(8)(ii) of this section apply:

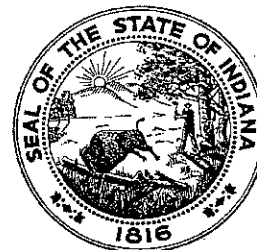
Building A, apartment 19A and building D, apartment 20D - No leak-tight containers were used to inhibit asbestos fibers from becoming airborne during clean-up and disposal of identified PACM materials. The service manager and/or staff were exposed to asbestos fibers while they performed Class I and Class III asbestos materials clean-up and disposal for up to 1 hour per renovation. This clean-up and disposal was done for materials identified as PACM of up to 24 square feet in area.

Date By Which Violation Must be Abated: 04/23/2013

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 316547637
Inspection Dates: 01/07/2013 - 01/18/2013
Issuance Date: 03/28/2013



Safety Order and Notification of Penalty

Company Name: Village Green Holdings LLC
Inspection Site: 2036 N. Walnut Street, Blmgt, IN 47404

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness or injury resulting from an accident.

Safety Order 2 Item 3a Type of Violation: **Serious**

29 CFR 1926.1101(g)(3)(i): Prohibitions. The following work practices shall not be used for work related to asbestos or for work which disturbs ACM or PACM, regardless of measured levels of asbestos exposure or the results of exposure assessments: High-speed abrasive disk saws that are not equipped with point of cut ventilator or enclosures with HEPA filtered exhaust air:

Building A, apartment 19A and building D, apartment 20D - No point of cut ventilator or HEPA filter exhaust was used on high speed abrasive disk saws to inhibit asbestos fibers from becoming airborne during work operations involving identified PACM materials. The service manager and/or staff were exposed to asbestos fibers while they performed Class I and Class III asbestos work for up to 8 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013
Proposed Penalty: \$4,500.00

Safety Order 2 Item 3b Type of Violation: **Serious**

29 CFR 1926.1101(g)(3)(iii): Prohibitions. The following work practices and engineering controls shall not be used for work related to asbestos or for any work which disturbs ACM or PACM, regardless of measured levels of asbestos exposure or the results of initial exposure assessments: Dry sweeping, shoveling, or other dry clean-up of dust and debris containing ACM or PACM:

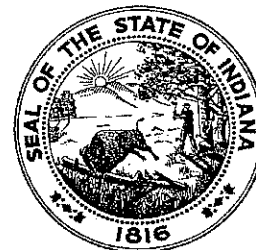
Building A, apartment 19A and building D, apartment 20D - Brooms were used to dry sweep and dust pans were used to shovel dust and debris containing identified PACM into 2-ply trash bags during clean-up operations. The service manager and/or staff were exposed to asbestos fibers while they performed Class I and Class III asbestos clean-up in apartment kitchen areas during and after repairs and/or replacement work was performed on ceilings identified as PACM for up to 3 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 316547637
Inspection Dates: 01/07/2013 - 01/18/2013
Issuance Date: 03/28/2013



Safety Order and Notification of Penalty

Company Name: Village Green Holdings LLC
Inspection Site: 2036 N. Walnut Street, Blmngtn, IN 47404

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness or injury resulting from an accident.

Safety Order 2 Item 4a Type of Violation: **Serious**

29 CFR 1926.1101(g)(4)(i): Class I Requirements. In addition to the provisions of paragraphs (g)(1) and (2) of this section, the following engineering controls and work practices shall be used. All class I work, including the installation and operation of the control system shall be supervised by a competent person as defined in paragraph (b) of this section:

Building A, apartment 19A and building D, apartment 20D - No competent person supervised and no control systems installed for the service manager and/or staff during Class I and Class III asbestos operations performed on apartment kitchen ceilings containing materials identified as PACM for up to 8 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013
Proposed Penalty: \$4,500.00

Safety Order 2 Item 4b Type of Violation: **Serious**

29 CFR 1926.1101(g)(4)(ii): For all Class I jobs involving the removal of more than 25 linear or 10 square feet of thermal system insulation or surfacing material; for all other Class I jobs, where the employer cannot produce a negative exposure assessment pursuant to paragraph (f)(2)(iii) of this section, where employees are working in areas adjacent to the regulated area, while the Class I work is being performed, the employer shall use one of the sub-standards (A) or (B) to ensure that airborne asbestos does not migrate from the regulated area:

Building A, apartment 19A and building D, apartment 20D - No methods to ensure that airborne asbestos did not migrate from the work area was used during Class I and Class III asbestos operations performed on apartment kitchen ceilings containing materials identified as PACM for up to 8 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

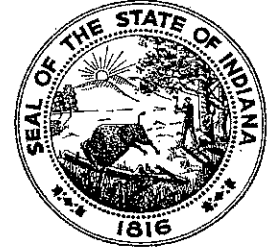
Inspection 316547637

Number:

Inspection Dates: 01/07/2013 -

01/18/2013

Issuance Date: 03/28/2013



Safety Order and Notification of Penalty

Company Name: Village Green Holdings LLC

Inspection Site: 2036 N. Walnut Street, Blmgtm, IN 47404

Safety Order 2 Item 4c Type of Violation: **Serious**

29 CFR 1926.1101(g)(4)(iii): For all Class I jobs, HVAC systems shall be isolated in the regulated area by sealing with a double layer of 6 mil plastic or the equivalent:

Building A, apartment 19A - The HVAC systems were not isolated or sealed during Class I asbestos operations performed on apartment kitchen ceilings containing materials identified as PACM for up to 8 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013

Safety Order 2 Item 4d Type of Violation: **Serious**

29 CFR 1926.1101(g)(4)(IV): For all Class I jobs impermeable dropcloths shall be placed on surfaces beneath all removal activity:

Building A, apartment 19A - Impermeable dropcloths were not utilized on horizontal surfaces such as but not limited to counters, refrigerator tops, and floors located under Class I asbestos operations performed on apartment kitchen ceilings containing materials identified as PACM for up to 8 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013

Safety Order 2 Item 4e Type of Violation: **Serious**

29 CFR 1926.1101(g)(4)(V): For all Class I jobs, all objects in the regulated area shall be covered with impermeable dropcloths or plastic sheeting which is secured by duct tape or an equivalent:

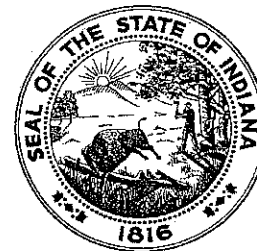
Building A, apartment 19A - Objects such as but not limited to refrigerators, sinks and faucets and cabinets and drawers were not covered with impermeable drop cloths or plastic sheeting secured by duct tape or an equivalent. These objects were located within the area where Class I asbestos operations were performed on apartment kitchen ceilings containing materials identified as PACM for up to 8 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013

Indiana Department of Labor

Indiana Occupational Safety and Health
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Safety Order and Notification of Penalty

Company Name: Village Green Holdings LLC
Inspection Site: 2036 N. Walnut Street, Blmngtn, IN 47404

Safety Order 2 Item 4f Type of Violation: **Serious**

29 CFR 1926.1101(g)(4)(VI): For all Class I jobs, where the employer cannot produce a negative exposure assessment, or where exposure monitoring shows that a PEL is exceeded, the employer shall ventilate the regulated area to move contaminated air away from the breathing zone of employees toward a HEPA filtration or collection device:

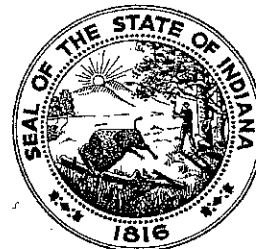
Building A, apartment 19A - No ventilation system was utilized to move contaminated air away from the breathing zone(s) of employees within toward a HEPA filtration or collection device for Class I asbestos operations being performed on apartment kitchen ceilings containing materials identified as PACM for up to 8 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013

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Administration

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Safety Order and Notification of Penalty

Company Name: Village Green Holdings LLC
Inspection Site: 2036 N. Walnut Street, Blmgt, IN 47404

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness or injury resulting from an accident.

Safety Order 2 Item 5a Type of Violation: **Serious**

29 CFR 1926.1101(h)(1)(i): General. For employees who use respirators required by this section, the employer must provide each employee an appropriate respirator that complies with the requirements of this paragraph. Respirators must be used during Class I asbestos work:

Building A, apartment 19A and building D, apartment 20D - Single strap dust masks were provided for the service manager and staff during Class I asbestos operations performed on apartment kitchen ceilings containing materials identified as PACM for up to 8 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013
Proposed Penalty: \$4,500.00

Safety Order 2 Item 5b Type of Violation: **Serious**

29 CFR 1926.1101(h)(2)(i): The employer must implement a respiratory protection program in accordance with 1910.134(b) through (d) (except (d)(1)(iii) and (f) through (m) which covers each employee required by this section to use a respirator:

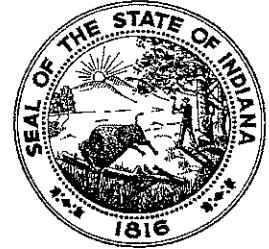
Building A, apartment 19A and building D, apartment 20D - No respiratory protection program was in place to provide the service manager and staff the training and practical experience required to safely use respirators during Class I asbestos operations performed on apartment kitchen ceilings containing materials identified as PACM for up to 8 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013

Indiana Department of Labor

Indiana Occupational Safety and Health
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Safety Order and Notification of Penalty

Company Name: Village Green Holdings LLC
Inspection Site: 2036 N. Walnut Street, Blmgt, IN 47404

Safety Order 2 Item 6 Type of Violation: **Serious**

29 CFR 1926.1101(i)(1): The employer shall provide or require the use of protective clothing, such as coveralls or similar whole-body clothing, head coverings, gloves and foot coverings for any employee exposed to airborne concentrations of asbestos that exceed the TWA and/or excursion limit prescribes in paragraph (c) of this section or for which a required negative exposure assessment is not produced, or for any employee performing Class I work operations which involve the removal of over 25 linear or 10 square feet of TSI or surfacing ACM and PACM:

Building A, apartment 19A and building D, apartment 20D - No protective clothing was utilized for the service manager and staff during Class I and Class III asbestos operations performed on apartment kitchen ceilings containing materials identified as PACM for up to 8 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013
Proposed Penalty: \$4,500.00

Safety Order 2 Item 7 Type of Violation: **Serious**

29 CFR 1926.1101(j)(1)(i): Requirements for employees performing Class I asbestos jobs involving over 25 linear or 10 square feet of TSI or surfacing ACM or PACM - Decontamination areas. The employer shall establish a decontamination area that is adjacent and connected to the regulated area for the decontamination of such employees. The decontamination area shall consist of an equipment room, shower area, and clean room in series. The employer shall ensure that employees enter and exit the regulated area through the decontamination area:

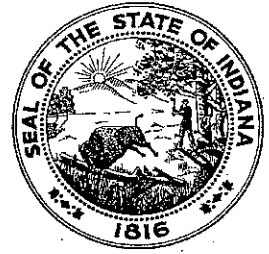
Building A, apartment 19A - No decontamination areas were established for the service manager and/or maintenance staff during Class I asbestos operations performed on apartment kitchen ceilings of up to 24 square feet containing materials identified as PACM for up to 8 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013
Proposed Penalty: \$4,500.00

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 316547637
Inspection Dates: 01/07/2013 - 01/18/2013
Issuance Date: 03/28/2013



Safety Order and Notification of Penalty

Company Name: Village Green Holdings LLC
Inspection Site: 2036 N. Walnut Street, Blmgtn, IN 47404

Safety Order 2 Item 8 Type of Violation: **Serious**

29 CFR 19126.1101(k)(7)(i): Signs. Warning signs that demarcate the regulated area shall be provided and displayed at each location where a regulated area is to be established by paragraph (e) of this section. Signs shall be posted at such a distance from such a location that an employee may read the signs and take necessary protective steps before entering the area marked by the signs:

Building A, apartment 19A - No warning signs were in place to demarcate the areas where the service manager and/or staff performed Class I asbestos operations on apartment kitchen ceilings of up to 24 square feet containing materials identified as PACM for up to 8 hours per renovation.

Date By Which Violation Must be Abated: 04/23/2013
Proposed Penalty: \$4,500.00

Safety Order 2 Item 9 Type of Violation: **Serious**

29CFR 1926.1101(o)(1): On all construction work sites covered by this standard, the employer shall designate a competent person, having the qualifications and authorities for ensuring worker safety and health required by subpart c, General Safety and Health Provisions for construction (29 CFR 1926.20 through 1926.32):

Building A, apartment 19A - No competent person was designated to ensure the health and safety of the service manager and/or maintenance staff during the performance of Class I asbestos operations on apartment kitchen ceilings of up to 24 square feet containing materials identified as PACM for up to 8 hours per renovation.

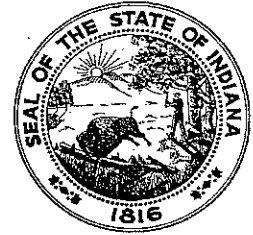
Date By Which Violation Must be Abated: 04/23/2013
Proposed Penalty: \$4,500.00

Timothy E. Maloney for

Julie C. Alexander, J.D.
Director, General Industry

Indiana Department of Labor

Indiana Occupational Safety and Health Administration
402 West Washington Street
Room W195
Indianapolis, IN 46204-2751
Phone: 317/232-1979; Fax: 317/233-8509



INVOICE/DEBT COLLECTION NOTICE

Company Name: Village Green Holdings LLC
Inspection Site: 2036 N. Walnut Street, Bloomington, IN 47404
Issuance Date: 03/28/2013

Summary of Penalties for Inspection Number 316547637

Safety Order 01, Knowing	=	\$63,000.00
Safety Order 02, Serious	=	\$40,500.00
Total Proposed Penalties		\$103,500.00

Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Make your check or money order payable to: "Indiana DOL/IOSHA". Please indicate IOSHA's Inspection Number (indicated above) on the remittance.

IOSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

Corrective action, taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Safety Order and Notification of Penalty.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the safety order(s).

Julie C. Alexander

Julie C. Alexander J.D.
Director, General Industry IOSHA

Date

3/28/13