

EPA RECONGITION OF VERIFICATION OVERSIGHT ORGANIZATIONS

The hallmark of ENERGY STAR for New Homes Program is the requirement for independent, third-party verification of the energy performance of homes that earn the ENERGY STAR label. For site-built homes, this verification is provided by entities collectively referred to as ‘verifiers’ or ‘verification organizations’ (e.g., Home Energy Raters and Accredited Providers). A Verification Oversight Organization (VOO) is defined as an independent, national organization that accredits these verification organizations and provides administrative processes for the training, certification, and quality assurance of businesses and individuals who verify homes to earn the ENERGY STAR label.

An organization that is interested in becoming a VOO must submit an Application for Recognition to EPA. Applicants are required to demonstrate that they meet the program’s eligibility criteria and can successfully perform the required roles and responsibilities set forth in the application. EPA’s recognition of a VOO relates solely and specifically to the ENERGY STAR for New Homes program and does not qualify the organization to implement or participate in other programs (e.g., tax credit verification).

ELIGIBILITY CRITERIA for VERIFICATION OVERSIGHT ORGANIZATIONS:

1. Demonstration of Impartial Governance

Impartiality is of critical importance for Verification Oversight Organizations. As such, these organizations must be organized and operated to safeguard the objectivity and impartiality of their activities. The petitioning VOO must ensure a balanced representation of interested parties, with no single party predominating.

To be eligible for recognition by EPA as a Verification Oversight Organization, the petitioning organization must demonstrate impartial governance and meet, at a minimum, the following criteria:

- Be a 501(c)(3) or 501(c)(6) not-for-profit corporation;
- Maintain an open participation/membership policy;
- Be governed by a Board of Directors or Executive Committee; and
- Maintain policies to ensure that potential conflict of interest issues are identified and avoided (e.g., not being directly involved in qualifying homes to earn the ENERGY STAR label).

2. Demonstration of National Scope of Operations for Verification Oversight¹

Petitioning Verification Oversight Organizations must demonstrate the ability to offer Verification Oversight services at a national level. EPA reserves the right to reject any application for recognition that the Agency believes cannot meet this requirement. EPA also reserves the right to suspend or terminate recognition of a Verification Oversight Organization if it does not maintain a national scope of operations.

ROLES AND RESPONSIBILITIES for VERIFICATION OVERSIGHT ORGANIZATIONS:

The specific roles and responsibilities for Verification Oversight Organizations are set forth in the application form provided below. These include: establishing and maintaining governing policies and procedures for verifying homes to earn the ENERGY STAR label consistent with the specific sections of the Mortgage Industry National Home Energy Rating Standards; accrediting and certifying verifiers; establishing a business code of conduct for verifiers; requiring that verifiers maintain a database of all homes qualified as ENERGY STAR; working collaboratively

¹ EPA will consider allowing non-national scope VOO applications from organizations for specific states or regions when unique geographic situations or code structures warrant different oversight models.

with EPA on quality assurance issues related to the labeling of ENERGY STAR qualified homes; conducting quality assurance of participating verifiers; and maintaining a participating verifier dispute resolution process that includes procedures for investigation of complaints, probation, dismissal, and appeals.

MODIFICATIONS:

EPA reserves the right to modify or amend the required roles and responsibilities for Verification Oversight Organizations as needed to ensure the value of the ENERGY STAR label for new homes. Organizations that have been previously recognized by EPA will be given a period of 180 days to implement any policies or procedures needed to comply with new EPA requirements.

TERMINATION:

If, after recognition, EPA determines that a Verification Oversight Organization is not meeting its required roles or responsibilities or not ensuring consumer and industry confidence in the ENERGY STAR program, EPA will provide the VOO with written notification and allow a period of 30 days to resolve identified issues and provide EPA with a written response summarizing the changes made. If the VOO fails to submit a satisfactory response to EPA that addresses the deficiencies identified, EPA will suspend or rescind the Verification Oversight Organization's recognition. Further, EPA reserves the right to suspend or rescind recognition of a Verification Oversight Organization in situations including, but not limited to, when the deficiencies represent a pattern of improper actions by the organization or the organization does not demonstrate substantive effort to maintain a national scope of operations.

APPLICATION FOR EPA RECONGITION: VERIFICATION OVERSIGHT ORGANIZATIONS

Completed applications for recognition should be submitted to EPA at:

U.S. Environmental Protection Agency
Attn: Team Leader/ENERGY STAR for New Homes
ENERGY STAR for New Homes (MC 6202J)
1200 Pennsylvania Ave, NW
Washington, DC 20460

EPA will use its best efforts to confirm receipt of applications received within 10 business days and make a determination on the application and notify the petitioning organization within 60 business days. Note that all petitioning organizations must also participate in a formal interview process, to be conducted either at EPA's offices or via conference call. EPA also strongly encourages organizations considering applying for recognition to contact ENERGY STAR to discuss their interest prior to submitting an application.

EPA reserves the right to modify or amend the required roles and responsibilities for Verification Oversight Organizations as needed to ensure consumer and industry confidence in the value of the ENERGY STAR label for new homes. Organizations that have been previously recognized by EPA will be given a period of 180 days to implement any new policies or procedures needed to comply with EPA requirements.

PART ONE: General Applicant Information

Organization Name: _____

Mailing Address: _____

Contact: _____ E-mail Address: _____

Primary Contact Telephone #: _____ Fax #: _____

Organization Web Site Address: _____

PART TWO: Demonstration of Impartial Governance

Applicant must initial/affirm that the petitioning organization meets the following criteria for eligibility and provide documentation as necessary:

1. 501(c)(3) or 501(c)(6) not-for-profit corporation _____ (applicant initial and attach documentation)
2. Open participation/membership policy _____ (applicant initial and attach policy)
3. Governed by a Board of Directors or Executive Committee _____ (applicant initial and attach list and qualifications of actual or proposed members)
4. Maintain policies to ensure that potential conflict of interest issues are identified and avoided (e.g., not being directly involved in qualifying homes to earn the ENERGY STAR label) _____ (applicant initial)

PART THREE: Demonstration of National Scope of Operations for Verification Oversight

Petitioning Verification Oversight Organizations must demonstrate the ability to offer Verification Oversight services at a national level². EPA reserves the right to reject any application for recognition that the Agency believes cannot meet this requirement. EPA also reserves the right to suspend or terminate recognition of a Verification Oversight Organization if it does not maintain a national scope of operations.

² EPA will consider allowing non-national scope VOO applications from organizations for specific states or regions when unique geographic situations or code structures warrant different oversight models.

For example, national scope of operations can be demonstrated through the following types of organizational characteristics:

1. Maintaining a Board of Directors/Executive Committee with demonstrated experience in conducting Home Energy Ratings and/or technical expertise in building science across the U.S.;
2. Maintaining a quality assurance (QA) and oversight mechanism for verifiers that are distributed across the U.S.; and
3. Maintaining a general membership of verification organizations that are geographically distributed across the U.S. to provide services for ENERGY STAR builder partners.

PART FOUR: Demonstration of Satisfaction of Required Roles and Responsibilities for Verification Oversight Organizations

Applicants must attach documentation that describes their organization's policies, approach, and demonstrated experience in conducting each of the following activities:

- Establishing and maintaining comprehensive by-laws, governing policies, and procedures for verifying homes to earn the ENERGY STAR label that comply with the standards set forth in the effective published edition of the Mortgage Industry National Home Energy Rating Standards^{3,4}:
 - The applicant must specifically cite the technical standards governing conduct of on-site inspection procedures and minimum rated features specified in Appendix A⁴.

³ The Residential Energy Services Network (RESNET) is the copyright holder of the Mortgage Industry National Homes Energy Rating Standards and has permitted the direct citation of Chapter 6 and Appendix A of the Standards by applicants. Petitioning Verification Oversight Organizations must directly cite these portions of the Standards in fulfilling the requirements of their application. However, if the applicant wishes to cite other Chapters or Sections of the Standards, they must seek permission of the copyright holder.

⁴ These requirements are not applicable when the petitioning VOO will provide oversight services exclusively for verifiers who will qualify for homes as ENERGY STAR using EPA's prescriptive path. In these cases, the petitioning VOO must demonstrate an equivalent approach to meeting the requirement of establishing and maintaining comprehensive by-laws, governing policies, and procedures for verifying homes to earn the ENERGY STAR label under EPA's prescriptive path.

- The applicant must establish and maintain policies requiring that only home energy modeling software programs that are accredited through the process specified in Chapter 3 of the Mortgage Industry National Home Energy Rating Standards be used for verifying ENERGY STAR qualified homes⁴.
 - For homes qualified through a Sampling Protocol, the applicant must cite the technical standards for sampling that are specified in Chapter 6⁵.
- Developing and maintaining a training, examination, certification, and continuing education program for verifiers that is consistent with the requirements of Chapter 2 of the Mortgage Industry National Home Energy Rating Standards.
- Establishing and maintaining a business code of ethics for verifiers, including a conflict of interest policy and an ethics complaint resolution process that includes procedures for investigation of complaints, verifier dismissal, and appeals that are at least as stringent as those specified in Chapter 9 of the Mortgage Industry National Home Energy Rating Standards.
- Maintaining a database and a publicly-available, on-line list of certified verifiers.
- Establishing a requirement that all verifiers maintain a database of homes qualified as ENERGY STAR and report qualified homes to EPA and/or utilize a national on-line registry, as may be required by program policies.
- Working collaboratively with EPA on quality assurance activities related to the labeling of ENERGY STAR qualified homes to facilitate comprehensive and coordinated oversight of verifiers and responding to consumer complaints that arise about the verification of ENERGY STAR qualified homes.
- Developing and implementing quality assurance (QA) systems and procedures for participating verifiers related to both the conduct of Home Energy Ratings and all applicable ENERGY STAR for Homes Inspection Checklists, including both file reviews and field inspections at a rate at least as stringent as those required in Chapter 9 of the Mortgage Industry National Home Energy Rating Standards.

⁵ This requirement applies to Verification Oversight Organizations that will oversee verifiers who will qualify homes for the ENERGY STAR under either EPA's performance or prescriptive paths.

- Maintaining a dispute resolution process for participating verifiers that includes procedures for probation, suspension, and revocation. Note that EPA also reserves the right to terminate the ENERGY STAR Partnership Agreement of verifiers that violate the terms of their partnership or the Federal ENERGY STAR trademark.
- Maintain open lines of communication with EPA to address questions and concerns in a timely manner and provide annual reports to ENERGY STAR on program administration, quality assurance, and dispute resolution activities (or more frequently, upon request by EPA).

PART FIVE: Application Certification and Representation

As an officer of _____,

I, the undersigned, hereby swear that I have the authority to submit this Application for Recognition as a Verification Oversight Organization to the U.S. Environmental Protection Agency. I understand that intentionally submitting false information to the U.S. government is a criminal violation of the False Statements Act, Title 18 U.S.C. section 1001.

Name: _____

Signature: _____

Title: _____

Organization: _____

Date: _____

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2060-0586). Responses to this collection of information are voluntary. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to be 2 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden including through the use of automated collection techniques to the Director, Regulatory Support Division, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.