

Policy Title: Notification of Affected Builders and/or Clients of Complaints and Investigations

Approved on May 19th, 2025

Purpose: The purpose of this policy is to ensure that all builders and/or clients that contract for ratings with a HERS® Rating Company under RESNET's® purview (builders and/or clients) are promptly notified about meritorious complaints and/or formal investigations potentially impacting their projects, and that RESNET® is appropriately copied in the communication. This allows for early notification and effective communication while maintaining transparency and integrity in the process.

Policy Statement: In response to meritorious complaints and/or formal investigations involving a builder and/or a client's projects, this policy shall be adhered to in order to ensure that all potentially impacted builders or clients are notified promptly and in writing via electronic mail.

Definitions:

Meritorious complaints and/or formal investigations are those determined by RESNET to warrant the opening of a formal investigation.

Potentially impacted builders and/or clients means any builder or client who, as determined by RESNET, is reasonably identifiable as having used, relied upon, or been associated with the elements that are the subject of the meritorious complaint and/or formal investigation, where such association could give rise to similar risks, liabilities, regulatory actions, or reputational harm to the builder/client.

1. Role of RESNET:

- Upon initiation of a formal investigation, RESNET will notify the HERS® Rating Company involved, as well as any RESNET Accredited Rating Provider affiliated with that company. As part of the notification, RESNET shall require the party under formal investigation to provide written disclosure to potentially impacted builders and/or clients.
- Potentially impacted builders and/or clients shall be specifically listed by RESNET in the notification to the party under formal investigation.
- RESNET shall be copied on all disclosures sent to potentially impacted builders and/or clients to maintain a clear record of the notification process and to ensure that all relevant parties are informed.
- An additional written disclosure shall be sent by RESNET to potentially impacted builders and/or clients as well as any rating provider that the rating company is associated with regarding RESNET's findings and final determination at the conclusion of the formal investigation.

2. Notification Requirement:

- The HERS Rating Company that is the subject of a meritorious complaint and/or formal investigation shall notify all potentially impacted builders' and/or clients' corporate and division headquarters in writing via email within five (5) business days of being notified by RESNET.

- The HERS Rating Company shall also copy RESNET on the notification(s) to ensure transparency and accountability.
- If the scope of a formal investigation is expanded, RESNET shall notify the HERS Rating Company within one (1) business day. The HERS Rating Company shall notify any additional builders and/or clients deemed by RESNET to be potentially impacted within five (5) business days.
- The HERS Rating Company shall provide written disclosure of the findings and final determination of the formal investigation directly to all potentially impacted builders and/or clients within five (5) business days of being notified by RESNET.
- If the HERS Rating Company fails to provide written disclosure of the findings to potentially impacted builders and/or clients within five (5) business days, RESNET shall provide the disclosure to these entities directly within 1 business day.

Implementation and Timeline:

- RESNET Staff shall make a determination of merit to open a formal investigation within 5 business days after being informed of the issue.
- RESNET Staff shall inform the rating company of the opening of the formal investigation within 1 business day after the determination of merit.
- All HERS Rating Companies shall follow this policy as required in the trademark agreement when responding to formal investigations.

Effective Date of Policy:

- This policy goes into effect immediately after the adoption by the RESNET Board of Directors.

Standards/ENERGY STAR Complaints Process

- Attached is a flow chart that RESNET Staff developed for investigating HERS Rating and ENERGY STAR Complaints