

Draft
RESNET Qualified Contractors Guidelines
March 29, 2010

1001 GENERAL PROVISIONS

1001.1 Purpose

The provisions of these Guidelines are intended to define a framework for certifying contractors as Qualified Contractors.

1001.2 Scope

This chapter sets out the procedures for the accreditation of Contractor Education and Qualification (CEQ) Providers as well as the process by which a contractor may become a Qualified Contractor. There may be instances in which state laws or regulations differ from these Standards. In such instances, state law or regulation shall take precedence over this standard.

1002 DEFINITIONS AND ACRONYMS

Candidate for Qualification. A company or individual who intends to become a Qualified Contractor, who shall list itself in the Candidate section and who shall have 90 days to complete its qualification requirements and receive approval of a CEQ Provider.

Contractor Education and Qualification Provider, CEQ Provider. An organization accredited by RESNET in accordance with the requirements of the program herein to train and prepare individuals to be a Qualified Contractor Designated Qualification Representative and to perform the other duties of a Contractor Education and Qualification Provider established herein.

Designated Qualification Representative. An individual employed by or associated with a contractor which desires to become a Qualified Contractor, or in the case of a single member contracting firm, the single member, who shall take the required course and pass the RESNET core exam and otherwise ensure that the contractor, once approved as a Qualified Contractor, complies with the terms and conditions of the Registry.

Qualified Contractor. A company, or an individual doing business as a sole home improvement or building practitioner, who performs home performance energy efficiency retrofit or construction work, who has complied with the terms and conditions of the Directory/website and has been listed on the Qualified Contractor Directory/website.

Qualified Product. Manufactured goods that are ENERGY STAR approved or goods and services that have been otherwise determined to be qualify as energy efficient or beneficial and therefore are appropriate for listing on the website.

Auditor. An individual who is certified by a RESNET accredited Home Energy Survey Provider to conduct comprehensive home energy audits. Auditors shall be certified as Home Energy Raters by a RESNET accredited Home Energy Rating Provider.

RESNET Executive Director. A person elected by the Board of Directors of the Residential Energy Service Network (RESNET) to be the chief executive officer of RESNET.

Successfully Resolve a RESNET Complaint. The process in which a company comes to agreement with a RESNET who has made a written complaint to the Registry regarding the work of a listed Qualified Contractor, including communicating with RESNET, satisfying the RESNET's issue(s), obtaining a Complaint Resolution Form signed by both parties and verified by the Complaint Resolution Officer of the company's CEQ Provider.

1003 PROVIDER ACCREDITATION CRITERIA

1003.1 Minimum Standards for CEQ Provider Accreditation.

CEQ Providers shall be accredited in accordance with the Accreditation Process specified in Chapter 9 of these Standards. A CEQ Provider must specifically meet the following minimum standards for Accreditation.

- 1003.1.1 Demonstrated experience in conflict resolution between contractors and consumers;
- 1003.1.2 Accreditation as a RESNET Provider in good standing;
- 1003.1.3 A staff member with at least 10 years of residential construction or home improvement contractor experience and holding a valid contractor license in the state which they are providing training.

1003.2 Certification and recertification of Qualified Contractors shall be by CEQ Providers, who shall abide by the following provisions:

1003.2.1 Qualified Contractor Certification course

A CEQ Provider shall provide a minimum eight (8) hour initial RESNET Accredited Qualified Contractor course. The course shall cover, at a minimum, the following topics:

1. Qualified Contractors – Why are They Important?
2. Building Science Overview
3. The House as a System
4. Energy Efficiency Concepts
5. Energy Consequences of Common Construction Practices 3
6. Introduction to how an Energy Auditor or Rater utilizes the Blower Door, Duct Leakage Testing and IR Technology during an energy audit
7. Scope of Work
8. Work Orders, Priority of Work and Respect for other Contractors
9. Introduction to RESNET Standards and RESNET Code of Ethics

1003.2.2 Qualified Contractor Testing. All Qualified Contractors shall pass the national Qualified Contractors test administered by RESNET.

1003.2.3 Continuing Education. A CEQ Provider shall annually make available a minimum of two (2) hours of CE courses relevant to energy efficiency home improvement contracting.

1003.2.4 Recertification of Qualified Contractor by the Provider shall occur not less than every three (3) years.

1003.2.4.1 Qualified Contractor must have a minimum of 6 hours of continuing education credits (2 hours annually) to become recertified every three years.

1003.2.5 Qualified Contractor Agreements. As a condition of Qualified Contractor certification, each Provider shall ensure that each Qualified Contractor enters into a written agreement with the Provider to. An unexecuted copy of the Qualified Contractor written agreement shall be provided to RESNET with the Provider's accreditation application, and again within 60 days of making changes to the agreement. The written agreement shall, at a minimum, contain an Agreement to comply with the RESNET Contractor Pledge and Code of Ethics.

1003.3 Minimum Standards for CEQ Provider Operation Policies and Procedures shall be submitted in written form to RESNET for approval, and shall at a minimum provide for the following:

1003.3.1 The CEQ Provider shall have a dedicated Complaint Resolution Officer (CRO) to manage consumer complaints and resolve conflicts.

1003.3.2 Written Qualified Contractor discipline procedures that include progressive discipline for probation, suspension, and decertification.

1003.3.3 Quality Assurance by CEQ Providers

1003.3.3.1 The Provider's Rating Provider QA Designee shall be responsible for monitoring compliance with the Qualified Contractor program and maintaining records in accordance with the requirements of Chapter 9.

1003.3.4 Qualified Contractor Registry. The Provider shall maintain a registry of all of its Qualified Contractors. The Provider shall also keep on file the names and contact information for all Qualified Contractors, including company name, mailing address, voice phone number, fax number, and email address. Upon request, the Provider shall provide to RESNET its registry of Qualified Contractors.

1003.3.5 Complaint Response Process.

Each Provider shall have a system available for receiving complaints, including a dedicated Complaint Resolution Officer (CRO) to manage consumer complaints and resolve conflicts. The Provider shall respond to and resolve complaints related to work performed by Qualified Contractor. Providers shall ensure that Qualified Contractor inform clients about the complaint process. Each Provider shall retain records of complaints received and responses to complaints for a minimum of three years after the date of the complaint. The Complaint Response Process shall include, at a minimum, the following:

1. Consumer Complaint Form, available for submittal via the RESNET website;
2. The work contract(s) shall be included with the complaint submittal;
3. Complaints must be either related to structural or major deficiencies (over \$500) and must impact the energy efficiency of the home;
4. The listed Qualified Contractors shall be notified of all complaints and allowed to submit a complaint rebuttal to the CRO;
5. A Directory Removal (De-listing) Penalty for unresolved complaints can range from 30 days to 1 year;
6. The CRO shall evaluate the complaint to determine if the contractor shall be deemed an offender.

7. In the event the CRO cannot make a fair evaluation of the complaint based on the information submitted, the consumer shall have the option of hiring an independent RESNET certified auditor (HESP or higher) to visit the site and submit his or her report and findings;
8. Egregious repeat offenders may be removed from the RESNET website. This ban is attributed to the Qualified Contractor. The CEQ Provider shall communicate to the RESNET Executive Director recommended appropriate action and the Executive Direction shall approve or modify the action. Such action shall be communicated to the HESPro, who shall take action as directed.

1003.3.6 Actions against a Qualified Contractor.

1003.3.6.1 Consumer complaints against a listed Qualified Contractor shall be submitted through the RESNET website and will be forwarded to the CEQ Provider to the attention of the CRP for the following action:

1003.3.6.1.1 The Qualified Contractor will have forty-five (45) business days to resolve the complaint;

1003.3.6.1.2 A complaint will be considered resolved once the client has submitted a Complaint Resolution Form signed by both parties and the resolution is verified by the CRO;

1003.3.6.1.3 A log of unresolved complaints shall be maintained by the CEQ Provider.

1003.3.6.2 Grounds for Suspension (De-listing) from the Membership Directory and RESNET Registry (Directory/Registry):

1003.3.6.2.1 First Offense. The first time a contractor has 3 unresolved complaints within a 90 day period, the Provider shall inform RESNET of the situation and RESNET shall remove, or cause to be removed, the contractor from the Directory/Registry for a period of no less than 30 days. To be reinstated to the Directory/Registry at the end of the 30 day suspension, the contractor shall (within the 30 day period) complete 2 hours of additional CE specific to conflict resolution or RESNET relations or successfully resolve at least one of the complaints.

1003.3.6.2.2 Second Offense. The second time a contractor has 3 unresolved complaints within a 90 day period, the Provider shall inform RESNET of the situation and RESNET shall remove, or cause to be removed, the contractor from the Directory/Registry for a period of no less than 90 days. To be reinstated to the Directory/Registry at the end of the 90 day suspension, the contractor shall (within the 90 day period) complete 3 hours of additional CE and successfully resolve at least one of the complaints.

1003.3.6.2.3 Third Offense. The third time a contractor has 3 unresolved complaints within a 90 day period, the Provider shall inform RESNET of the situation and RESNET shall remove, or cause to be removed, the contractor from the Directory/Registry for a period of no less than one (1) year. The RESNET Executive Director shall provide to the Contractor written notice and a 30 day opportunity to appeal. The RESNET Executive Director, at his sole discretion, shall make a determination as to whether or not to remove the contractor from the Directory/Registry for a period of no less than 90 days.

To be reinstated to the Directory/Registry at the end of the day suspension, the contractor shall (within the 90 day period) complete 3 hours of additional CE and successfully resolve at least three of the complaints.

1004 QUALIFIED CONTRACTOR CERTIFICATION

1004.1 Designated Qualification Representative

1004.1.1 A company or individual, in order to become a Qualified Contractor, shall designate an employee or representative as its Designated Qualification Representative.

1004.1.2 The Qualified Contractor Designated Qualification Representative shall take an accredited eight (8) hour initial Qualified Contractor Course from a RESNET accredited CEQ Provider.

1004.1.3 The Qualified Contractor's Designated Qualification Representative shall pass a RESNET core exam.

1004.1.4 The Qualified Contractor's Designated Qualification Representative shall sign an Agreement with a RESNET CEQ Provider in which the company agrees to comply with the program requirements contained herein and with the RESNET Standards and Code of Ethics.