

# Chapter One-201x

## RESNET Standards

### 100 RESNET NATIONAL STANDARD FOR ACCREDITING PROVIDERS

#### 101 GENERAL PROVISIONS

##### 101.1 Purpose

The purpose of these Standards is to ensure that accurate and consistent home energy ratings are assured by RESNET accredited Rating Quality Assurance Providers through their certified HERS Raters nationwide; to increase the credibility of the Rating Quality Assurance Providers and to promote voluntary participation in an objective, cost-effective, sustainable home energy rating process.

Leaders in both the public and private sectors have identified the need for an accreditation process for Rating Quality Assurance Providers. This accreditation process may be used by these stakeholders to accept home energy ratings and to assure accurate, independent information upon which the mortgage industry may accept home energy ratings for the purposes of issuing energy efficient mortgage, or similar, products; a state may recognize the home energy ratings as a compliance method for state building energy codes; as qualification for public and private sector energy programs designed to reach specific energy saving goals; and as a way to provide housing markets the ability to differentiate residences based on their estimated energy efficiency. These Standards have been developed to satisfy the above purposes.

**101.1.1 Relationship to State Law.** These Standards specifically recognize the authority of states that have laws requiring certification or licensing of Rating Quality Assurance Providers. To the extent that state laws differ from these Standards, state laws shall govern.

#### 102 ACCREDITATION CRITERIA FOR HOME ENERGY RATING QUALITY ASSURANCE PROVIDERS

**102.3 Rating Quality Assurance Provider Responsibilities.** All accredited Direct and Third-Party Home Energy Rating Quality Assurance Providers shall have the following minimum responsibilities:

**102.3.1** Perform sufficient quality assurance oversight of HERS Raters and Rating Field Inspectors (RFI's) to ensure compliance with these Standards and the minimum quality assurance requirements outlined in Chapter 9. This oversight is in addition to the oversight performed by RESNET and quality assurance performed by Quality Assurance Designees of RESNET defined in Chapter 9 of these Standards.

**102.3.2** Assess, certify and recertify HERS Raters and RFI's as required in Chapter 2 of these Standards.

**102.3.3** Ensure HERS Raters under their providership use the latest version of RESNET accredited software tools as required in section 105 to produce ratings and provide raters notification within 30 days of any software changes.

**102.3.4** Submit Confirmed or Sampled Ratings conducted by their certified HERS Raters are submitted to the National RESNET Registry. Submittal of ratings to the Registry shall be completed within 90 calendar days of the rating date, or certification of the rated home in an EEP, whichever is longer.

**102.3.5** Require that Rated Home Registration ID's provided by the National RESNET Registry are prominently displayed on all Rating Certifications.

**102.3.6** Resolve HERS Rater compliance complaints.

**102.3.7** Undertake disciplinary action on HERS Raters and RFI's when required.

**102.3.8** Ensure that HERS Rater and RFI candidates meet the minimum certification requirements of Chapter 2 prior to certification by the Quality Assurance Provider.

#### **102.4 Minimum Standards for Rating Quality Assurance Provider Accreditation**

Rating Quality Assurance Providers must meet the following minimum standards for Accreditation.

**102.4.1** Prior to submitting an application for accreditation, applicants must participate in a current RESNET training for new providers.

**102.4.2** To apply for accreditation as a RESNET Rating Quality Assurance Provider, applicants must complete an accreditation application developed by RESNET and include a certificate of completion from the RESNET training for new Providers referenced in 103.4.1.

**102.4.3** Submit a written Quality Assurance Process that conforms to Chapter 9 of these Standards.

**102.4.4** Utilize a Quality Assurance Designee to oversee the Provider's compliance with Chapter 9 of these Standards and any specific Quality Assurance requirements for other Provider categories that may apply to a particular organization.

**102.4.5** Rating Quality Assurance Providers shall maintain documentation that their certified HERS Raters and RFI's meet the certification provisions contained in Chapter Two of these Standards.

**102.4.6** Rating Quality Assurance Providers shall provide a due process for appeals which allows their certified HERS Raters to appeal a probation, suspension, or revocation

action taken against them by their Provider. The due process shall comply with RESNET procedures contained in Section 910.5 “Probation/Suspension/Revocation Due Process” of these Standards.

#### **102.4.7 Certified HERS Rater Agreements.**

**102.4.7.1** As a condition of HERS Rater certification, each Rating Quality Assurance Provider shall ensure that a certified HERS Rater who has met the requirements of Chapter 2, Rater Training Requirements, has entered into a written agreement with the Rating Quality Assurance Provider to provide home energy rating, field verification, and testing services in compliance with these standards.

**102.4.7.2** A copy of the Rating Quality Assurance Provider’s standard HERS Rater written agreement shall be provided to RESNET with the Rating Quality Assurance Provider’s accreditation application, as part of the Provider’s annual Quality Assurance submission to RESNET, and within 60 days of making changes to the agreement. The written agreement shall at a minimum require Raters to:

**102.4.7.2.1** Provide accurate ratings, field verification and testing in compliance with these Standards and RESNET Standards Management Board interpretations;

**102.4.7.2.2** Comply with the “RESNET Code of Ethics”. The RESNET Code of Ethics is posted on the RESNET website. The Code of Ethics shall be attached to the written HERS Rater agreement.

**102.4.7.2.3** Provide any information requested by the Quality Assurance Provider.

**102.4.7.2.4** Participate in training activities that address changes to the RESNET Standards when required.

**102.4.7.3** The Certified HERS Rater Agreements shall include a copy of the Rating Quality Assurance Provider’s due process for appeals.

**102.4.8** A Rating Quality Assurance Provider shall ensure that the HERS Rating Software Program used to produce energy ratings has been properly accredited by RESNET. The directory of RESNET accredited HERS Rating Software Programs are posted on the RESNET web site.

**102.4.9** Minimum Standards for Rating Quality Assurance Provider Operation Policies and Procedures must be written and provide for the following:

**102.4.9.1** Field and file verification of Minimum Rated Features and labeling of all homes shall comply with Chapter 3 and Appendix A of these Standards.

**102.4.9.2** Written conflict of interest provisions.

**102.4.9.2.1** Written conflict of interest provisions prohibit undisclosed conflicts of interest but allow for a waiver with advance disclosure. The RESNET “Home

Energy Rating Standard Disclosure” (Standard Disclosure) form shall be completed for each home that receives a home energy rating.

**102.4.9.2.2** Home builders and their employees are not allowed to conduct ratings on the homes they build or for which they have a financial interest.

**102.4.9.2.3** A RESNET Standard Disclosure form shall be provided to the rating client.

**102.4.9.2.4** For multi-family projects and production home communities, the RESNET Standard Disclosure form is not required for each home or unit that receives a home energy rating, but instead shall be provided to the rating client prior to the start of construction and list the name of the project or community. For production home communities, each base floor plan covered by the Standard Disclosure form shall also be listed on the form.

**102.4.9.3** Written HERS Rater and RFI Disciplinary Procedures that include provisions for Probation, Suspension, and Revocation of HERS Rater and RFI certification. These provisions at a minimum shall include the defined thresholds for each disciplinary category listed in this Section. The Provider shall update the HERS Rater/RFI’s status in the National RESNET Registry within twenty (20) business days of any change.

The following represent minimum provisions for each HERS Rater/RFI disciplinary category. A Provider’s policies and procedures may be more stringent than the following requirements.

**102.4.9.3.1** Probation – A HERS Rater/RFI found to have committed one or more violations of RESNET standards discovered by a Rating Quality Assurance Provider’s Quality Assurance Designee and or through a Rating Quality Assurance Provider’s complaint resolution process, RESNET quality assurance monitoring, or through the RESNET complaint resolution process may be placed on probation by the provider. The Provider shall notify the HERS Rater/RFI in writing of the specified deficiencies and shall require that specific corrective action, set forth in the notification, be agreed upon and, if possible implemented, not later than twenty (20) business days after the date set forth in such notification. Violations include, but are not limited to, the following:

**102.4.9.3.1.1** Noncompliance with annual requirements for quality assurance;

**102.4.9.3.1.2** Noncompliance with equipment calibration requirements;

**102.4.9.3.1.3** Discovered violations of one or more provisions of the RESNET Standards that result in four or more non-compliant ratings for a calendar year, i.e. the twelve month period from January 1<sup>st</sup> through December 31<sup>st</sup>;

**102.4.9.3.1.4** Discovered violations of one or more provisions of the RESNET Standards involving requirements for disclosure, professional conduct, record keeping, and or reporting;

**102.4.9.3.1.5** Misrepresentation of a certification status in marketing materials or services offered or actually provided, for which the HERS Rater does not possess the appropriate RESNET certification from the Provider.

**102.4.9.3.2** Suspension – Any HERS Rater/RFI certified by a Provider may have their certification suspended for circumstances including, but not limited to, any of the following:

**102.4.9.3.2.1** For non-compliance with the terms of probation;

**102.4.9.3.2.2** Continued discovery of violations through increased quality assurance reviews in accordance with section 904.3.5;

**102.4.9.3.2.3** Two Probations within a twelve month period;

**102.4.9.3.2.4** Willful misconduct;

**102.4.9.3.2.5** Misrepresentation of a certification status in marketing materials, or services offered or actually provided, for which the HERS Rater does not possess the appropriate RESNET certification from the Provider.

**102.4.9.3.2.6** Provisions for HERS Rater/RFI suspension shall include:

**102.4.9.3.2.6.1** Written notification to the HERS Rater/RFI which includes the cause, terms, restrictions, and notifications to third-parties of the suspension of the HERS Rater/RFI ability to complete, submit or acquire any new rating projects or new rating business recognized by any RESNET Accredited Rating Quality Assurance Provider as of the date of suspension. Written notification shall inform the HERS Rater/RFI of their right to appeal under Section 911 of these Standards;

**102.4.9.3.2.6.2** After the allowable period of time for appeal, and/or an unsuccessful appeal of suspension, notification of suspension to RESNET through the National RESNET Registry, known HERS Rater clients (i.e. builders or other organizations with repeat business with a HERS Rater or Rating Company), EPA or other known EEP's;

**102.4.9.3.2.6.3** Removal of the HERS Rater/RFI's name and, in cases of a single HERS Rater company, the company name from any promotional website or lists maintained by Provider.

**102.4.9.3.2.7** At the Provider's discretion, a HERS Rater/RFI may be allowed to complete rating work identified as in progress at the time of the suspension provided the following conditions are met:

**102.4.9.3.2.7.1** The HERS Rater/RFI shall submit to the Provider copies of any previously completed site visit documentation for the home(s) in question;

**102.4.9.3.2.7.2** The Provider and the HERS Rater/RFI agree to complete the rating work within a defined minimum timeframe (maximum of 90 days) in compliance with RESNET Standards;

**102.4.9.3.2.7.3** The Provider shall complete, and HERS Rater/RFI agrees to be subject to, QA File review for 100% of the identified ratings completed under this Section. HERS Rater/RFI agrees to pay any associated Provider fees for the additional required QA File reviews;

**102.4.9.3.2.7.4** The Provider shall complete, and the HERS Rater/RFI agrees to be subject to, QA Field review for a minimum 25% of the identified ratings completed under this Section. HERS Rater/RFI agrees to pay any associated Provider fees for the additional required QA Field reviews;

**102.4.9.3.2.7.5** The HERS Rating client is informed the terms and conditions of HERS Rater suspension.

**102.4.9.3.2.8** At a minimum, the duration of a suspension shall be -90 days from notification. After successful compliance with the terms of suspension, a HERS Rater/RFI shall be eligible to have their certification re-instated under terms for disciplinary probation agreed upon by the Rater/RFI and the Provider.

**102.4.9.3.3** Revocation – Any HERS Rater/RFI certified by a Provider shall have their certification revoked for circumstances including, but not limited to, any of the following:

**102.4.9.3.3.1** A HERS Rater chooses to not renew their certification;

**102.4.9.3.3.2** For non-compliance with the progressive terms of probation or suspension;

**102.4.9.3.3.3** Failure to reach an agreement on terms of probation or suspension;

**102.4.9.3.3.4** The continued discovery of violations through the mandatory RESNET Quality Assurance requirements;

**102.4.9.3.3.5** Fraud;

**102.4.9.3.3.6** Failure to complete additional training required by the most recent version of the RESNET Standards

**102.4.9.3.4** Provisions for revocation of HERS Rater/RFI certification shall include:

**102.4.9.3.4.1** Written notification to the HERS Rater/RFI which includes the cause for revocation and explanation of notifications to third-parties of the HERS Rater's/RFI's inability to complete, submit or acquire any new rating projects or new rating business recognized by any RESNET Accredited Rating Quality Assurance Provider as of the date of revocation. Written notification shall inform the HERS Rater/RFI of their right to appeal under Section 911 of these Standards;

**102.4.9.3.4.2** After the allowable period of time for appeal, and/or an unsuccessful appeal of revocation, notification of termination to known HERS Rater clients (i.e. builders or other organizations with repeat business with a HERS Rater or Rating Company), RESNET, EPA or other known EEP;

**102.4.9.3.4.3** Removal of the HERS Rater/RFI's name and in cases of a single HERS Rating Company name from any promotional website or lists maintained by the Provider;

**102.4.9.3.4.4** Indicate the HERS Rater/RFI's revocation and the reason for revocation in the National RESNET Registry.

**102.4.9.3.5** HERS Rater/RFI's who have their certification revoked may at their initiative re-apply for certification to any Rating Quality Assurance Provider as a HERS Rater or RFI candidate after a period of no less than 12 months from the date of revocation provided the following conditions are met:

**102.4.9.3.5.1** The HERS Rater completes a minimum of three (3) probationary ratings, deemed acceptable in demonstrating the HERS Rater's technical and administrative skills in completing accurate ratings, under the supervision of a Provider's Quality Assurance Designee;

**102.4.9.3.5.2** The RFI completes a minimum of three (3) rating field inspections observed by a certified Quality Assurance Designee or a RESNET Candidate Field Assessor using the RESNET graded field evaluation to document results;

**102.4.9.3.5.3** The HERS Rater agrees to File QA by the Provider's Quality Assurance Designee of a minimum of 20% for twelve (12) months from the date of re-instatement;

**102.4.9.3.5.4** The HERS Rater/RFI agrees to Field QA by the Providers Quality Assurance Designee of a minimum of 5% for twelve (12) months from the date of re-instatement.

**102.4.9.3.5.5** The HERS Rater/RFI meets all other certification requirements.

**102.4.9.4** Rating and Tax Credit Verification recordkeeping. Rating Quality Assurance Providers and/or their certified HERS Raters shall maintain the Quality

Assurance Data File for each registered rating and tax credit verification for a minimum of three (3) years.

**102.4.9.5** Complaint Response System. Each Rating Quality Assurance Provider shall have a system for receiving complaints. The Rating Quality Assurance Provider shall respond to and resolve complaints related to ratings, field verification, diagnostic testing services, and reports. Rating Quality Assurance Providers shall ensure that HERS Raters inform purchasers and recipients of ratings and field verifications about the complaint system. Each Rating Quality Assurance Provider shall retain records of complaints received and responses to complaints for a minimum of three years after the date of the complaint.

**102.4.9.6** Site data collection manual. All Rating Quality Assurance Providers shall provide their certified HERS Raters with a manual containing procedures for the on-site collection of data that at a minimum shall include the on-site inspection procedures for minimum rated features for new and existing homes provided in appendix A.

## **103 PROVIDER ACCREDITATION AND RENEWAL PROCESS**

### **103.1 National Registry of Accredited Providers**

RESNET shall maintain a national registry of organizations accredited as Providers in each Provider accreditation category and will post the registry on its web site. The registry for each Provider accreditation shall serve as the current and definitive list of RESNET accredited Providers.

### **103.2 Provider Accreditation Process**

**103.2.1** The organization seeking accreditation must file an application for the specific Provider category in which they seek accreditation with RESNET. RESNET shall create the applications for each accreditation category.

**103.2.2** Rating Quality Assurance Provider Accreditation shall be in accordance with Section 103.

**103.2.3** Confidentiality of Information. All applicants for Provider accreditation shall have all information in their application treated as confidential throughout the application process. Upon acceptance of the accreditation application, all governing documents shall be made public. Proprietary information relating to internal HERS Rating procedures, processes and policies will not be considered governing documents and will not be made public.

**103.2.4** Review and Notification.

**103.2.4.1** RESNET staff action. Within twenty (20) business days of receipt of an application, RESNET staff will review the application to determine whether the applicant is eligible for accreditation in accordance with the specific requirements



for each Provider category. Upon completion of the review, RESNET staff shall do one of the following:

**103.2.4.1.1** Request additional information. If additional information is required in order to complete the review of the application, the application shall be returned to the applicant along with a written request for additional information. Upon receipt of additional information, RESNET staff shall have fifteen (15) business days to take action in accordance with 102.2.4.1.2 or 102.2.4.1.3.

**103.2.4.1.2** Recommend approval. If RESNET staff is satisfied that an application is complete and meets all the requirements for accreditation, they shall make a recommendation to the Accreditation Committee that the application be approved.

**103.2.4.1.3** Recommend denial. If RESNET staff is not satisfied that an application is worthy of approval for accreditation, they shall make a recommendation to the Accreditation Committee that the application be denied and provide an explanation of the reasons for the recommendation (i.e. incompleteness, failure to meet/comply with a specific accreditation requirement, etc.).

**103.2.4.2** Accreditation Committee action. Within fifteen (15) business days of receipt of a recommendation for approval or denial from RESNET staff, the Committee shall do one of the following:

**103.2.4.2.1** Request additional information. If the Committee requires additional information, the application shall be returned to the applicant along with a written request for additional information. Upon receipt of additional information, the Committee shall have fifteen (15) business days to render a decision in accordance with 102.2.4.2.2 or 102.2.4.2.3.

**103.2.4.2.2** Approve the application.

**103.2.4.2.3** Deny the application. If an application is denied, RESNET staff shall inform the applicant in writing of the reasons for denial. Additionally, the applicant shall be informed of their right to appeal in Chapter 9 of these Standards.

**103.2.4.3** Within ten (10) business days of a decision by the Committee, RESNET staff shall inform the applicant in writing of the status of their application.

**103.2.5** For each approved Provider accreditation application, RESNET shall issue a unique Accreditation Identification Number (AIN) to the Provider. In accordance with 102.1, the accredited Provider will be incorporated into the respective national registry of accredited Providers.

**103.2.6** Term of accreditation.

**103.2.6.1** All Provider accreditations shall be valid for a term of one calendar year and shall be renewed annually on January 1<sup>st</sup> upon successful completion and approval by RESNET of an application for renewal in accordance with Section 102.3.

**103.2.6.2** For first time applications any in Provider category approved after September 1st, shall not be required to renew for the calendar year in which the application was approved.

### **103.3 Provider Accreditation Renewal Process**

**103.3.1** Accredited Providers must submit an “application for renewal” (renewal application) with RESNET no later than October 1<sup>st</sup> of each calendar year. By September 1<sup>st</sup>, RESNET shall send to each Provider a renewal application and reminder of the deadline for submission.

**103.3.2** Program element changes. At the time of submitting a renewal application, it is the accredited Provider’s responsibility to inform RESNET staff of any substantive changes in the Provider’s operating policies and procedures or other information that may affect the provider meeting the minimum accreditation criteria for each Provider category for which it is seeking renewal. Changes will be evaluated by RESNET following the procedures outlined in section 102.2.

**103.3.3** Rating Quality Assurance Provider Accreditation Renewal. To qualify for annual accreditation renewal, Rating Quality Assurance Providers must participate in an annual RESNET training. Attendee must be the individual listed as the RESNET primary point of contact for the providership. The training would cover, at a minimum, the following:

**103.3.3.1** Updates to the RESNET ANSI and Non-ANSI Standards;

**103.3.3.2** Effective support and communication with HERS Raters;

**103.3.3.3** RESNET Quality Assurance updates and overview of critical findings from the year;

**103.3.3.4** Updates for National RESNET Registry use;

**103.3.4** Successful renewals. Successful renewals will be posted on the national registry and communicated to the applicant by RESNET.

**103.3.5** Late applications.

**103.3.5.1** Renewal applications received after the deadline for submission are not guaranteed to be approved prior to the end of the calendar year. Should an accreditation with a late renewal application expire prior to approval, the RESNET

Accreditation Committee, at its sole discretion, may grant an extension with a grace period not to exceed twenty (20) business days.

**103.3.5.2** Renewal applications not given an extension or not approved prior to the end of the grace period shall be noted as “pending” on the national registry and the applicant will be advised to cease representing themselves as accredited until the application receives approval.

**103.3.6** Accreditation not renewed. Accredited Providers that elect not to renew or fail to meet renewal requirements will be removed from the national registry and be so advised in writing. Providers have the right to appeal a non-renewal decision in accordance with Chapter 9 of these Standards.

#### **104 NATIONAL RESNET REGISTRY.**

The National RESNET Registry shall be maintained by RESNET and made available for use by RESNET accredited Rating Quality Assurance Providers, their certified HERS Raters and other parties in accordance with RESNET Board policy. The following information shall be required in the National RESNET Registry:

**104.1** Each accredited Home Energy Rating Quality Assurance Provider shall be included in the National RESNET Registry.

**104.2** Rating Quality Assurance Providers are responsible for maintaining a current and accurate listing of their Certified HERS Raters and RFI’s using the National RESNET Registry.

**104.3** The Rating Quality Assurance Provider will register ratings and maintain the National RESNET Registry in accordance with the policies and procedures established by RESNET. Information required for each rated home entered into the National RESNET Registry shall include, at a minimum, the following:

**104.3.1** The Rated Home characteristics, including but not limited to the following:

**104.3.1.1** Physical location of the home, including street address, city, state and zip code

**104.3.1.2** IECC climate zone of the home

**104.3.1.3** Certified HERS Rater and RFI RESNET assigned identification numbers.

**104.3.1.4** Accredited Rating Quality Assurance Provider ID

**104.3.1.5** Date of the Rating

**104.3.1.6** Status of the Rated Home (new or existing)

**104.3.1.7** Rating Type for the home (as defined in ANSI/RESNET 301-2014)

**104.3.1.8** Home Type (single-family, duplex, low-rise Multi-family)

**104.3.1.9** Conditioned Floor Area of the home

**104.3.1.10** Number of bedrooms in the home

**104.3.1.11** The name and version number of the accredited software rating tool that created the Rating

**104.3.2** The Rating results, including but not limited to the following:

**104.3.2.1** Registration ID (provided by the National RESNET Registry)

**104.3.2.2** HERS Index Score

**104.3.2.3** Annual Rated Home energy end uses for heating, cooling, hot water and lighting and appliance energy end uses by fuel type

**104.3.2.4** Annual Rated Home on-site power production

**104.3.2.5** Energy prices used to calculate costs by fuel type

**104.3.2.6** Annual total cost to operate the Rated home

**104.3.2.7** Annual Rated Home normalized Modified End Use Loads

**104.3.2.8** Annual HERS Reference Home End Use Loads

**104.3.2.9** Annual HERS Reference Home energy end uses for heating, cooling, hot water and lighting and appliance energy end uses by fuel type

**104.3.3** An executable copy of the building input file used by the accredited software rating tool to generate the Home Energy Rating.

## **105 HERS RATING SOFTWARE**

**105.1** For the purposes of conducting HERS Ratings, as defined in these Standards, Rating Quality Assurance Providers shall be required to use the most current version of one of the RESNET accredited HERS Rating Software programs contained in the “National Registry of Accredited HERS Rating Software Programs” posted on the RESNET website.

**105.2** HERS Rating Software Changes. Should changes that affect the calculated results of the home energy rating occur in the engineering algorithms of a RESNET approved home energy rating software program, Rating Quality Assurance Providers shall be required to do the following:

**105.2.1** Transition period. On announcement of a new software version release, Rating Quality Assurance Providers have a maximum of 60 days to begin all new ratings with the new version.

**105.2.2** This requirement only applies to changes mandated by Chapter 3 of these Standards or otherwise affecting the calculations of the HERS Index score or projected energy savings.

**105.2.3** Persistence. Once a Projected Rating has been made on a property, the version of the rating software that was used initially may be used for the Confirmed or Sampled Rating on that property. Rating Quality Assurance Providers, at their option, may update to the latest software version for in-process ratings.

**105.3** RESNET Rating Software Providers that do not meet deadlines set by RESNET for required changes to their software that impact the HERS Index may be subject to a daily fine set by the RESNET Board of Directors.

## **106 RATINGS PROVIDED FOR THIRD-PARTY ENERGY EFFICIENCY PROGRAMS**

**106.1** See Appendix B for definition of Third Party Energy Efficiency Program (EEP)

**106.2** When working with EEP's, HERS Raters may be required to perform tests, inspections, verifications and reporting that require skills related to energy efficiency not specific to Home Energy Ratings as defined in these Standards and/or are required to become a Certified HERS Rater. However, it is the responsibility of Certified HERS Raters to perform all of the stipulated tests, inspections, verifications and reporting related to energy efficiency required by the EEP when agreeing to work with their program, including proper completion of any and all checklists, certificates, or other documentation. Where a HERS Rater does not possess the proper skill or knowledge of a particular test, inspection, verification or reporting requirement, they shall be responsible for obtaining sufficient training from the EEP, or trainer approved by the EEP, to properly fulfill the requirement. An exception may be made in cases where portions of an EEP's testing, inspection, verification or reporting process are completed by another company or individual who holds the required training or certifications.

**106.3** See Section 906 for Quality Assurance Requirements for EEP

# Chapter Nine-201x

## RESNET Standards

### 900 RESNET NATIONAL STANDARD FOR QUALITY ASSURANCE

#### 901 GENERAL PROVISIONS

##### 901.1 Purpose

This chapter outlines the responsibilities of RESNET and Quality Assurance Providers and minimum tasks associated with quality management systems used to comply with these Standards.

#### 902 DEFINITIONS AND ACRONYMS

See Appendix B.

### 903 RESNET OVERSIGHT OF QUALITY ASSURANCE PROCESS

#### 903.1 RESNET Oversight of Quality Assurance Designees

RESNET will be responsible for oversight of the work performed under these Standards by approved Quality Assurance Designees.

#### 903.2 Review of Rating Quality Assurance Provider Quality Assurance Reviews

RESNET shall review 100% of the annual Rating Quality Assurance Provider Quality Assurance Reports submitted by Quality Assurance Designees.

#### 903.3 Quality Assurance File Review

RESNET will centrally administer quality assurance review of ratings using data in the National RESNET Registry.

### 904 QUALITY ASSURANCE REQUIREMENTS FOR RATING QUALITY ASSURANCE PROVIDERS

**904.1** The quality assurance process specified in this Section shall only be carried out by a RESNET certified Quality Assurance Designee.

#### 904.2 Quality Assurance by Rating Quality Assurance Providers

**904.2.1** Rating Quality Assurance Providers are responsible for completing an annual submission of their Quality Assurance results to RESNET. RESNET shall annually notify Rating Quality Assurance Providers of the date submissions are due and the content of each submission. The time frame for which data is provided for the annual submissions

shall be the calendar year i.e. the twelve month period from January 1<sup>st</sup> through December 31<sup>st</sup>. Rating Quality Assurance Providers will have at least thirty (30) days from notification from RESNET of the annual submission due date until the submissions are due.

**904.2.2** RESNET shall develop a “RESNET Quality Assurance Checklist” that is to be used by Quality Assurance Designees for the purpose of verifying a Provider’s compliance with the individual requirements for Providers set forth in the RESNET Standards. The Quality Assurance Designee shall review the Rating Quality Assurance Provider’s compliance with the items on the checklist annually.

### **904.3 Quality Assurance of HERS Raters and Ratings**

**904.3.1** Ratings included in QA File and QA Field reviews.

**904.3.1.1** For QA File and QA Field reviews, the HERS Rater's “annual total of ratings” shall mean all ratings entered into the National RESNET Registry (based on “date registered”) for a calendar year, i.e. the twelve month period from January 1<sup>st</sup> through December 31<sup>st</sup>.

**904.3.1.2** Ratings selected for QA File and QA Field review may be registered in the previous quarter but the annual total required is always based on the total number of ratings registered in a calendar year.

**904.3.2** HERS Rater Quality Assurance File review (QA File review)

**904.3.2.1** QA File review of RESNET Flagged Files. Quality Assurance Designees shall review ratings with apparent errors flagged by the RESNET QA File review for further Quality Assurance review, investigating the specific issues of concern and working with the HERS Rater and Rating Quality Assurance Provider to correct any errors.

**904.3.2.2** For each HERS Rater, the Provider’s Quality Assurance Designee shall be responsible for an annual QA File review of the greater of one (1) rating or ten percent (10%) of the HERS Rater's annual total of Confirmed or Sampled Ratings. When determining the number of ratings to review for a HERS Rater, round up to the next whole number when the percentage calculation yields a decimal point, e.g. 101 ratings x 10% = 10.1 means that 11 ratings shall be reviewed.

**904.3.2.3** QA File reviews shall be conducted on an ongoing basis as appropriate for the volume of ratings being completed and submitted to the National RESNET Registry, and at a minimum quarterly.

**904.3.2.4** The QA File review completed by a Quality Assurance Designee shall consist of, at a minimum, the following:

**904.3.2.4.1** Ratings shall be selected using a nonbiased selection process from the entire pool of ratings available at the time of the review for each HERS Rater. It

may be necessary to first select ratings that represent any particular area of concern in either the rating or construction process. Once it is ensured that ratings from these areas of interest will be included in the quality assurance process, a nonbiased selection process can then be applied such as random selection. Special effort should be taken to make certain that the selected ratings are as representative as possible of the ratings being completed, i.e. new and existing homes, geographic location, builder, trade contractor, variety of floor plans, etc., which, in some instances, may require more than the minimum (1) rating or ten percent (10%).

**904.3.2.4.2** While Section 102.1.4.11 and 303.3.7 require that HERS Raters submit energy simulation files for every rated home to their Providers, the QA file review does not require that Raters submit quality assurance data files, as defined in Appendix B, to their Provider and/or Quality Assurance Designee for every home that is rated. Only quality assurance data files for the ratings selected for quality assurance shall be required to be submitted for review by the Provider's Quality Assurance Designee.

**904.3.2.4.3** For of each Confirmed Rating, confirm that the values entered into the HERS Rating Software for all Minimum Rated Features are supported by actual on-site field-verified test data;

**904.3.2.4.4** Confirm that paper and/or electronic files are being maintained and archived by HERS Raters for each rating and/or unique floor plan, including the HERS Rating Software Energy Simulation File and all supporting documentation required to validate the inputs into the rating software file (e.g., architectural drawings, threshold specifications, field data). These files shall be maintained a minimum of three (3) years;

**904.3.2.5** QA File review for Sampled Ratings. For Sampled Ratings, annually review sample sets, the sampling process, and the worst-case projected rating energy simulation files for ratings rated through sampling.

**904.3.2.5.1** The QA File review for sampled ratings shall include a review of the greater of one (1) file or ten percent (10%) of the projected worst-case energy simulation files for each new sampled community in order to confirm that minimum rated features and worst-case specifications have been entered into the rating software accurately. Energy simulation files for an existing sampled community shall receive a QA File review, at a rate of one (1) file or ten percent (10%) of the worst-case energy simulation files.

**904.3.2.5.2** The QA File review for sampled ratings shall include an analysis and confirmation that the sampling process, as defined in Chapter 6, is being properly followed, including sample set creation and the application of testing and failure protocols.

**904.3.2.5.2.1** QA File review of the sampling process shall be completed on the greater of one (1) sample set or one percent (1%) of the HERS Rater's annual total of sample sets. When determining the number of sample sets to review for a



HERS Rater, round up to the next whole number when the percentage calculation yields a decimal point, e.g. 101 sample sets x 1% = 1.01 means that 2 sample sets shall be reviewed.

**904.3.2.5.2.2** For each sample set QA File review, the quality assurance data file(s) shall be reviewed to confirm that data collected in the field (i.e. sample controls) are equal to or better than the minimum rated feature threshold specification inputs for the worst-case energy simulation file for the home(s) that received sample controls for the sample set.

**904.3.2.5.2.3** If a discrepancy in minimum rated features is identified that requires more stringent threshold specifications for a floor plan, then the worst case projected rating energy simulation file for that plan and home, or for the entire set of homes (as appropriate), subject to sampling shall be reviewed.

### **904.3.3 HERS Rater Quality Assurance Field review (QA Field review).**

#### **904.3.3.1 Determining the number of ratings to receive QA Field reviews.**

**904.3.3.1.1 HERS Raters.** For each HERS Rater, the Provider's Quality Assurance Designee shall be responsible for an annual onsite QA Field review of the greater of one (1) rating on a completed home or one percent (1%) of the HERS Rater's annual total of ratings for which Confirmed or Sampled ratings were provided. When determining the number of QA Field reviews to complete for a HERS Rater, round up to the next whole number when the percentage calculation yields a decimal point, e.g. 101 ratings x 1% = 1.01 means that 2 QA Field reviews shall be completed.

**904.3.3.1.2 Rating Field Inspectors.** For HERS Raters utilizing RFI's, the Quality Assurance Designee shall ensure that a QA Field review is completed on the greater of one (1) rating on a completed home or one percent (1%) of each RFI's annual total of confirmed or sampled ratings the RFI assisted with. When determining the number of QA Field reviews to complete for an RFI, round up to the next whole number when the percentage calculation yields a decimal point, e.g. 101 ratings x 1% = 1.01 means that 2 QA Field reviews shall be completed. The RFI QA Field reviews may fulfill all of the HERS Rater's annual QA Field review requirement, but only if the HERS Rater does not do field inspections on completed homes. When a HERS Rater also does field inspections on completed homes, they must have field QA at the same calculated rate of 1% using the above methodologies.

**904.3.3.1.3 Pre-drywall QA Field reviews.** In addition to QA Field reviews on completed homes, for ratings on new homes, the Quality Assurance Designee may perform a pre-drywall QA Field review on each HERS Rater or RFI. Pre-drywall QA Field reviews can be used to meet the 1% QA Field review requirement for a HERS Rater or RFI in addition to the QA Field reviews on completed homes, and can replace 10%, but no more than 25%, of the total number of QA Field reviews (rounded up).

For example, if a HERS Rater or RFI is required to have one (1) QA Field review, one (1) review can be on a completed home and one (1) additional QA Field review can be on the same or a different home before drywall is installed. If a HERS Rater or RFI is required to have two (2) to ten (10) QA Field reviews, one (1) pre-drywall QA Field review may be performed and can count towards one, but no more than one, of the QA Field reviews. If a HERS Rater or RFI is required to have eleven (11) or more QA Field reviews, two (2) pre-drywall QA Field reviews may be performed and they can count towards two, but no more than two, of the QA Field reviews.

**904.3.3.1.4** HERS Raters and RFIs are exempt from receiving a QA field review for pre-drywall or final inspections and/or testing if they have not performed inspections and/or testing of any minimum rated features for pre-drywall or completed homes within the calendar year. For example, if a HERS Rater or RFI have not completed any pre-drywall inspections within the calendar year, they are exempt from QA Field reviews for pre-drywall inspections.

**904.3.3.1.5** “Remote” QA Field reviews. All HERS Raters ~~and RFI’s~~ must annually receive a minimum of one (1) on-site, in-person QA Field reviews on one percent (1%) of the annual the total annual of completed confirmed or sampled ratings or inspections completed to be registered in the registry. ~~All RFIs must annually receive a minimum of one (1) on-site, in person QA field review on the total annual pre-drywall or final field inspections completed.~~ All other QA Field reviews, for completed and pre-drywall homes, may be performed using a “remote” QA Field review methodology specified by RESNET.

**904.3.3.1.6** Sampled Ratings. For the purposes of calculating the one (1) rating/home or one percent (1%) QA Field review requirement for HERS Rater and RFI sampled ratings, all the homes rated by a HERS Rater, or for which an RFI assisted, using sampling shall be considered and not just the number of homes tested and inspected. If at least two (2) homes are required for QA Field review, a maximum of one (1) of the homes shall be a non-tested, sampled home. To ensure that Quality Assurance is being completed on HERS Raters and RFI’s rather than builders, the balance of homes included in the QA Field reviews shall have received field testing and/or inspections.

**904.3.3.1.7** Quality Assurance Designees shall complete a minimum of 1% quarterly QA Field reviews of Rating Quality Assurance Provider’s ratings, based on the total number of ratings registered by the Provider in the previous quarter, until all annual QA requirements for the Provider have been met for each Rater. QA field reviews are not required on every Rater every quarter.

**904.3.3.2** Requirements for QA Field reviews.

**904.3.3.2.1** HERS Raters. The QA Field review shall confirm the accuracy of all stages of the rating process (e.g. data collection, reporting, and energy simulation file creation and/or updating) for the rating receiving a QA Field review.

**904.3.3.2.1.1** Collect dimensional measurements in the field for the home to evaluate the accuracy of those determined by the HERS Rater in the field or from plans, including conformance to the requirements set forth in Chapters 3 and 8 and Appendix A of these Standards.

**904.3.3.2.1.2** Complete in the field all necessary performance testing and all necessary inspections of minimum rated features for the home to evaluate the accuracy of those determined by the HERS Rater, including conformance to the requirements set forth in Chapters 3 and 8 and Appendix A of these Standards.

**904.3.3.2.1.3** Evaluate inputs entered by the HERS Rater into the energy simulation file for the rated home to determine conformance with data from 904.3.3.2.1.1 and 904.3.3.2.1.2 as well as Chapters 3 and 8 and Appendix A of these Standards.

**904.3.3.2.2** Rating Field Inspectors. The QA Field review shall confirm the accuracy of data collection and reporting by the RFI for the rating receiving a QA Field review.

**904.3.3.2.2.1** As necessary, collect dimensional measurements in the field for the home to evaluate the accuracy of those that may have been determined by the RFI, including conformance to the requirements set forth in Chapter 8 and Appendix A of these Standards.

**904.3.3.2.2.2** Complete in the field all necessary performance testing and all necessary inspections of minimum rated features for the home to evaluate the accuracy of those that may have been determined by the RFI, including conformance to the requirements set forth in Chapter 8 and Appendix A of these Standards.

**904.3.3.2.3** Pre-drywall. For homes receiving a QA Field review prior to the installation of drywall, the QA shall complete in the field all necessary performance testing and all necessary inspections of minimum rated features for the home to evaluate the accuracy of those determined by the HERS Rater or RFI, including conformance to the requirements set forth in Chapter 8 and Appendix A of these Standards.

**904.3.3.2.4** Each rating selected for a QA Field review for each HERS Rater and RFI shall be randomly selected to ensure that a representative sample of all home types, locations and builders is achieved.

**904.3.3.2.5** Remote QA Field reviews. QA Field reviews not completed on-site, in-person by a Quality Assurance Designee, may be completed remotely using video technology and processes, protocols, and procedures approved by RESNET.

#### **904.3.4** Quality Assurance for Multifamily Projects

**904.3.4.1** In addition to the Quality Assurance requirements specified in this Chapter, quality assurance for multifamily projects shall include, at a minimum, the following:

**904.3.4.1.1** All dwelling units that are certified or qualified by the use of sampling shall be considered to be “Ratings”. QA File and QA Field reviews shall be conducted on a percentage of all the dwelling units certified or qualified under sampling, rather than the percentage of tested and inspected dwelling units.

**904.3.4.1.3** If units within a multifamily building have multiple space conditioning configurations such that some units have ducts and other units do not, the Quality Assurance Designee shall choose a unit with ducts for QA Field review. Additionally, if the building has some units with ducts that are within conditioned space while others have ducts that are outside of the building envelope, the Quality Assurance Designee shall choose a unit with ducts outside of the envelope for QA Field review.

**904.3.4.1.4** For multifamily projects, when selected, QA Field reviews shall include a comprehensive inspection of all minimum rated features that are possible to be inspected within the selected units and within the building during the time of the QA Field review. This means that the Quality Assurance Designee shall inspect attic insulation via a common attic access where present, mechanical rooms that house common mechanical systems that serve multiple units, common ventilation systems, common laundry etc.

**904.3.4.2** If the annual rating volume of a HERS Rater is such that more than one QA Field review is required for that annual period’s QA Field review quota (i.e. the HERS Rater completed more than 100 ratings during the annual period), no more than one QA Field review within a particular multifamily development shall count toward meeting the total QA Field review quota.

**904.3.4.2.1** Exception. If a Rater/RFI did not perform ratings on any other single or multifamily buildings for the calendar year and the multifamily building is 100 units or less, then pre-drywall and final QA Field reviews may be performed on the multifamily building that was rated.

**904.3.4.2.2** Exception. If a particular multifamily development contained more than 100 units. In such an instance, one QA Field review per every 100 units of that development shall count towards the annual QA Field review quota.

**904.3.4.2.3** Exception. If the HERS Rater had one or more RFI’s who worked with them throughout the annual period, the Quality Assurance Designee may select multiple units within a particular multifamily development to count towards the annual QA Field review quota for each RFI as long as those additional QA Field reviews represent work performed by each individual RFI during the annual period.

**904.3.5** Non-compliance of a reviewed rating shall trigger corrective action.

**904.3.5.1** A Quality Assurance Designees will conduct an evaluation using the RESNET QA Review Checklist to determine if the file or field QA review complies with the RESNET Standards or needs corrective action.

**904.3.5.2** Under the supervision of the Quality Assurance Designee, non-compliant rating(s) shall be corrected in order to come into compliance with RESNET technical Standards.

**904.3.5.3** The Quality Assurance Designee shall develop and implement a coaching action plan for the HERS Rater that addresses the underlying problems that led to the non-compliant rating. The coaching plan shall include mentoring the HERS Rater.

**904.3.5.4** The Provider shall initiate appropriate disciplinary action on the HERS Rater/RFI in accordance with the Provider's written HERS Rater/RFI disciplinary procedures.

**904.3.5.5** Multiple instances of non-compliance with QA File and/or QA Field review for a Rater or RFI shall trigger an increased rate of QA File reviews or QA Field reviews.

**904.3.5.5.1** When in the course of quality assurance review, as ratings outlined in 904.3.5.5.2 and 904.3.5.5.3, in a twelve (12) month period from January 1st through December 31st are found to be out of compliance by more than 5%, or the Quality Assurance Designee determines that field work (e.g. testing or inspections of minimum rated features) is being completed inaccurately or incompletely, the following, at a minimum, shall occur:

**904.3.5.5.1.1** The Rater shall be placed on probation;

**904.3.5.5.1.2** If the noncompliant ratings are due to errors found in QA File review, the Rater's File QA shall be increased to 15% ratings for the next twelve (12) month period. Round up to the next whole number when the percentage calculation yields a decimal point, e.g. 50 ratings x 15% = 7.5 means that 8 QA File reviews shall be completed;

**904.3.5.5.1.3** When appropriate (e.g. the HERS Rater/RFI previously struggled with field compliance, a piece of equipment is used in the rating that is not commonly found in the market or used by a builder, field test results are out of typical range for the market, etc.), a QA Field review shall be completed by the Quality Assurance Designee on the ratings that were out of compliance by more than 5%;

**904.3.5.5.1.4** If the noncompliant ratings are due to inaccurate or incomplete field work, the Rater and/or RFI Field QA shall be increased to 2% or 2 ratings whichever is larger for the next twelve (12) consecutive months . Round up to the next whole number when the percentage calculation yields a decimal point, e.g. 50 ratings x 2% = 1 means that 2 QA Field reviews shall be completed.

**904.3.5.5.2** The threshold for Raters and RFI's who performed work on fewer than 100 homes in the prior or current twelve (12) month period from January 1st through December 31st shall be "two (2) or more ratings";

904.3.5.5.3 The threshold for Raters and RFI's who performed work on 100 homes or greater in the prior or current twelve (12) month period from January 1st through December 31st shall be "three (3) or more ratings or 1% of ratings, whichever is greater";

**904.3.5.5.3** If additional noncompliance or major errors are discovered during the period of increased File or Field QA, the Quality Assurance Designee shall review 100% of the next five (5) rating files submitted or field inspections conducted. If noncompliance or major errors continue to be discovered, the Rater may be suspended in accordance with the Provider's written HERS Rater/RFI disciplinary procedure.

#### **904.4 Significant Non-compliance by Rating Quality Assurance Providers.**

It is the expectation of RESNET that Providers fully comply with all the requirements set forth in these Standards. Discovery of one or more areas of non-compliance via the RESNET Quality Assurance process, reporting by a Quality Assurance Designee as part of the Provider's Quality Assurance process, or in the course of RESNET's research of an ethics or consumer complaint will result in the Quality Assurance Designee working with a Provider to come back into compliance. However, on occasion, there may be instances where actions by a Provider are truly egregious and, as such, would be deemed to be "significant non-compliance". This Section seeks to define the thresholds when actions by a Provider are deemed to be significant non-compliance, thereby requiring that the Quality Assurance Designee report the significant non-compliance to RESNET and additional action by RESNET may be taken.

**904.4.1** Significant non-compliance by Providers shall include, but not be limited to, the following:

**904.4.1.1** Failure to comply with multiple individual requirements, or requirements impacting multiple HERS Raters and/or ratings, for Providers set forth in the RESNET Standards and enumerated in a RESNET Quality Assurance Checklist;

**904.4.1.2** Failure of a Provider to comply with the RESNET Standards of Practice, Code of Ethics, or Conflict of Interest Disclosure;

**904.4.1.3** Failure to follow a Provider's written HERS Rater/RFI disciplinary procedures for known or obvious non-compliance with the RESNET Standards, Standards of Practice, Code of Ethics, or Conflict of Interest Disclosure.

**904.4.2** Reporting of significant non-compliance to RESNET.

**904.4.2.1** Quality Assurance Designees must report all significant non-compliance by a Provider to RESNET when it becomes known to the Quality Assurance Designee so

that RESNET may assist the Quality Assurance Designee in working with a Provider to come back into compliance.

**904.4.2.2** Failure of a Quality Assurance Designee to report significant non-compliance issues may result in actions taken by RESNET as stipulated in Section 905.2.7.

## **905 QUALITY ASSURANCE DESIGNEES**

### **905.2.3 Professional Development for Quality Assurance Designees**

**905.2.3.1** All Quality Assurance Designees annually shall:

**905.2.3.1.1** Document attendance at the RESNET Conference or of RESNET approved CEUs; and

**905.2.3.1.2** Participate in a one-day in-person (or virtual) RESNET update and training.

**905.2.3.2** A Quality Assurance Designee must renew annually with RESNET to maintain certification.

### **905.2.4 Responsibilities of Quality Assurance Designees.**

**905.2.4.1** Complete all QA File and QA Field reviews for a Rating Quality Assurance Provider as required by these Standards.

**905.2.4.2** Serve as a liaison between RESNET and Rating Quality Assurance Providers, assisting with the following:

**905.2.4.2.1** Confirm that Rating Quality Assurance Providers are informed of all changes to the RESNET ANSI and non-ANSI standards.

**905.2.4.2.2** Querying RESNET on behalf of Providers if interpretive questions arise about technical or administrative issues regarding ratings.

**905.2.4.2.3** Ensure that Rating Quality Assurance Providers are properly following all RESNET technical and administrative requirements set forth in these Standards or stipulated in formal interpretations issued by RESNET.

**905.2.4.2.4** On behalf of RESNET, ensure that Rating Quality Assurance Providers are properly enforcing disciplinary actions for Raters/RFI's and/or adhering to any disciplinary actions imposed on a Provider by RESNET.

**905.2.4.3** Maintenance of quality assurance files;

**905.2.4.4** Complete annual submission of Quality Assurance results to RESNET in accordance with Section 904.2;

**905.2.4.5** Annually complete the RESNET Quality Assurance Checklist for Rating Quality Assurance Providers in accordance with Section 904.2;

**905.2.4.6** Maintain the Quality Assurance Data File for each rating that receives quality assurance review at a minimum containing the information required by Section 904.3. The Data Files shall be archived for a minimum of three (3) years

**905.2.5** RESNET Whistle Blower Protection Policy.

**905.2.5.1** A Rating Quality Assurance Provider shall not retaliate against a Quality Assurance Designee or HERS Rater in the terms and conditions of their status with the Provider for any of the following reasons:

**905.2.5.1.1** Reporting to a supervisor, to RESNET or to a federal, state or local agency what the Quality Assurance Designee or HERS Rater believes in good faith to be a violation of the RESNET Standards and/or a local, state or federal law; or

**905.2.5.1.2** Participation in good faith in any resulting investigation or proceeding;

**905.2.5.1.3** Exercising his or her rights under any state or federal law(s) or regulation(s) to pursue a claim or take legal action to protect the Quality Assurance Designee's or HERS Rater's rights.

**905.2.5.2** RESNET may take disciplinary action (up to and including revocation) against a Rating Quality Assurance Provider who in its assessment has engaged in retaliatory conduct in violation of this policy.

**905.2.6** Failure of a Quality Assurance Designee to fulfill their responsibilities. Failure of a Quality Assurance Designee to properly fulfill their responsibilities as specified in these Standards may include one or more of the following actions by RESNET:

**905.2.6.1** The Quality Assurance Designee being placed on probation;

**905.2.6.2** Removal of the Quality Assurance Designees' certification as a Quality Assurance Designee of RESNET;

**905.2.6.3** Removal of the Quality Assurance Designee from the National Registry of Approved Quality Assurance Designees;

**905.2.6.4** The Quality Assurance Designee may appeal an action taken by RESNET under this Section using the Appeals procedures stipulated in Section 911 of these Standards.



## **906 QUALITY ASSURANCE REQUIREMENTS FOR THIRD-PARTY ENERGY EFFICIENCY PROGRAMS**

**906.1** See Appendix B for definition of Third Party Energy Efficiency Program (EEP).

**906.2** Quality Assurance, as specified in Section 904, may be provided for EEP's by Quality Assurance Designees as part of the RESNET Quality Assurance process when RESNET and the EEP enter into a formal agreement. Where EEP Quality Assurance requirements are greater than specified in Section 904, those Quality Assurance requirements shall be specified in writing by an EEP and provided to RESNET for approval in order to be included in the RESNET Quality Assurance process.

**906.2.1** Unless formally authorized by RESNET, RESNET's oversight of a Quality Assurance Designee shall only cover areas covered in these Standards and in the RESNET Home Energy Rating Standards of Practice.

**906.3** Quality Assurance data files and the results of onsite verification of ratings files will be made available by Providers to EEPS only for the EEP's quality assurance initiatives and, additionally, only if the EEP has agreements with rating clients in the program that allow for HERS Raters to release rating information.

**906.4** EEP files will be inspected for quality assurance pursuant to section 904.4 and shall include those items related to energy efficiency specific to the EEP that may be in addition to the Home Energy Rating. Significant non-compliance by Providers shall be reported to EEP's when they become known to RESNET.

## **907 QUALITY ASSURANCE REQUIREMENTS FOR CONTRACTOR EDUCATION AND QUALIFICATION (CEQ) PROVIDERS, ENERGYSMART CONTRACTORS AND ENERGYSMART TEAMS**

### **907.1 RESNET Quality Assurance of CEQ Providers**

**907.1.1** RESNET shall select a limited number of CEQ Providers and conduct an annual review of their Quality Assurance records.

**907.1.2** A CEQ Provider shall have the right to challenge the findings of RESNET's quality assurance review.

**907.1.3** CEQ records that shall be reviewed include the following:

**907.1.3.1** The CEQ's EnergySmart Contractor Registry;

**907.1.3.2** The CEQ's EnergySmart Contractor Agreements;

**907.1.3.3** Documentation of CEQ Provider's initial training course and continuing education offerings for EnergySmart Contractors;

**907.1.3.4** Documentation of EnergySmart Contractor's Designated Qualification Representative completing required training and testing;

**907.1.3.5** Documentation of the Representative's continuing education;

**907.1.3.6** The CEQ's EnergySmart Contractor complaint files;

**907.1.3.7** Documentation of disciplinary actions.

**907.1.4** In the case of an unresolved complaint brought to the RESNET Executive Director, it will be the responsibility of the CEQ to secure the EnergySmart Project files from the EnergySmart Project Manager and present them to RESNET. Failure of the EnergySmart Project Manager to provide adequate records shall result in sanctions up to and including a 60 day suspension of the EnergySmart Contractor designation.

**907.1.5** An on-site review by RESNET may be conducted if there are significant inconsistencies or errors in the reviewed CEQ files.

**907.1.6** Complaints against a CEQ Provider submitted by the Complaint Resolution Officer (CRO) to RESNET shall be addressed by the Executive Director. The RESNET Executive Director shall:

**907.1.6.1** Resolve the complaint in forty-five (45) calendar days.

**907.1.6.2** A complaint will be considered resolved once a Complaint Resolution Form has been submitted, signed by the party who filed the complaint and the CEQ Provider.

**907.1.6.3** A log of unresolved complaints shall be maintained by the RESNET Executive Director.

**907.1.7** CEQ Providers are subject to Probation, Suspension, and Revocation of Accreditation by RESNET in accordance with Section 912 of these Standards.

**907.1.7.1** Suspension and Revocation of Accreditation of a CEQ Provider may result from the following:

**907.1.71.1** The provisions described in 912.3;

**907.1.71.2** Failure to ensure that the EnergySmart Contractor followed the complaint resolution process in the case of a complaint against the EnergySmart Contractor or failure to follow required disciplinary and corrective action with respect to a contractor;

**907.1.7.2** RESNET shall comply with the due process and appeals procedures contained in Section 911 of these Standards with respect to disciplinary actions against an accredited CEQ Provider.

## **907.2 CEQ Provider Quality Assurance of EnergySmart Contractors**

**907.2.1** The CEQ Provider shall annually verify that the EnergySmart Contractor's representative is still with the company.

**907.2.2** Respond to complaints against EnergySmart Contractors.

**907.2.3** Follow written EnergySmart Contractor Disciplinary Procedures described in the CEQ Provider's written policies and procedure for EnergySmart Contractors.

## **907.3 CEQ Provider Complaint Resolution Procedures**

**907.3.1** The CEQ Provider must conduct non-compliance resolution when a complaint is received about the work performance of an EnergySmart Contractor from any of the following: the client, HERS Rater, other EnergySmart Contractors, Final Verifier.

**907.3.2** Complaints shall be managed and resolved by the CEQ Provider's CRO following the CEQ Provider's Complaint Response Process.

**907.3.3** Each CEQ Provider shall retain records of complaints received and responses to complaints for a minimum of three (3) years after the date of the complaint.

**907.3.4** The Complaint Response Process shall include, at a minimum, the following:

**907.3.4.1** Consumer Complaint Form, available for submittal via the RESNET website. The form will be forwarded to the CEQ Provider to the attention of the CRO.

**907.3.4.2** It is the responsibility of the CEQ Provider to secure the documentation from the EnergySmart Project Manager or Final Verifier for review by the CRO.

**907.3.4.3** The CRO shall evaluate the complaint to determine if the contractor shall be deemed to be in non-compliance. Complaints must:

**907.3.4.3.1** Be related to either structural or major deficiencies (resulting in over \$500 of repairs for the homeowner) and must impact the energy efficiency and/or durability of the home.

**907.3.4.3.2** Include the work contract(s) and copies of checklists denoting unresolved deficiencies.

**907.3.4.3.3** 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 HERS Rater to visit the site and submit his or her report and findings.

**907.3.4.4** The EnergySmart Contractor Complaint Resolution Process shall consist of the following:

**907.3.4.4.1** The CRO will notify the contractor of the complaint and the contractor shall have forty five (45) calendar days to resolve the complaint.

**907.3.4.4.2** A complaint will be considered resolved once a Complaint Resolution Form has been submitted, signed by both the client and the party against whom the complaint was filed, and the resolution verified by the CRO.

**907.3.4.4.3** If the complaint is not resolved in the allotted time, it will be considered unresolved.

**907.3.4.5** EnergySmart Contractors with three (3) unresolved complaints within a 90 day period or with five (5) or more unresolved complaints at any given time shall have their certification suspended in accordance with the provisions of 907.3.5.

**907.3.4.6** A log of unresolved complaints shall be maintained by the CEQ Provider and must be made available to RESNET upon request.

**907.3.5** The minimum requirements for suspension of certification procedures are the following:

**907.3.5.1** First Offense: First time an EnergySmart Contractor has three (3) unresolved complaints within a 90 day period or has five (5) outstanding unresolved complaints, the CEQ Provider shall suspend the contractor's certification for a period of not less than 30 days, and:

**907.3.5.1.1** Shall inform RESNET that the contractor's certification has been suspended, and shall request that RESNET remove the contractor from the Directory.

**907.3.5.1.2** Shall require the contractor, prior to reinstatement, to complete two (2) hours of Continuing Education specific to conflict resolution or customer relations, or successfully resolve at least one of the 90 day old complaints and all of the complaints older than 90 days. CEQ Providers may provide exceptions for complaints that cannot be resolved.

**907.3.5.1.3** Shall inform RESNET when the contractor's certification has been reinstated, clarify the resolution, or reasons for not being able to resolve the complaint, and shall request that RESNET reinstate the listing on the Directory.

**907.3.5.2** Second Offense: Second time an EnergySmart Contractor has three (3) unresolved complaints within a 90 day period or has five (5) outstanding unresolved complaints, the CEQ Provider shall suspend the contractor's certification for a period of not less than 90 days, and:

**907.3.5.2.1** Shall inform RESNET that the contractor's certification has been suspended, and shall request that RESNET remove the contractor from the directory.

**907.3.5.2.2** Shall require the contractor prior to reinstatement to complete three (3) additional hours of Continuing Education and successfully resolve at least one of the 90 day old complaints and all of the complaints older than 90 days. CEQ Providers may provide exceptions for complaints that cannot be resolved.

**907.3.5.2.3** Shall inform RESNET when the contractor's certification has been reinstated, clarify the resolution, or reasons for not being able to resolve the complaint, and shall request that RESNET reinstate the listing on the Directory.

**907.3.5.3** Third Offense: Third time an EnergySmart Contractor has three (3) unresolved complaints within a 90 day period, or has five (5) outstanding unresolved complaints, the CEQ Provider shall suspend the contractor's certification for a period of not less than twelve (12) months, and:

**907.3.5.3.1** Shall inform RESNET that the contractor's certification has been suspended, and shall request that RESNET remove the contractor from the Directory.

**907.3.5.3.2** Shall require the contractor, prior to reinstatement, to complete three (3) additional hours of Continuing Education and successfully resolve all of the outstanding complaints. CEQ Providers may provide exceptions for complaints that cannot be resolved.

**907.3.5.3.3** Shall inform RESNET when the contractor has met the requirements of 907.3.5.3.2, clarify the resolution, or reasons for not being able to resolve the complaint. RESNET approval shall be required for reinstatement of certification and RESNET shall reinstate the contractor's listing on the Directory if appropriate.

#### **907.4 Rating Quality Assurance Provider Quality Assurance Review of HERS Rater Final Verification of EnergySmart Projects**

**907.4.1** Quality assurance of HERS Raters' Final Verifications of an EnergySmart Projects shall be performed by the Provider's Quality Assurance Designee.

##### **907.4.2** Quality Assurance File Review

**907.4.2.1** For each HERS Rater that performs Final Verification for an EnergySmart Project, the Rating Quality Assurance Provider's Quality Assurance Designee shall annually conduct QA File review of the Final Verification documentation file(s) the greater of one (1) projects or ten percent (10%) of the Contractor's annual total of projects completed. When determining the number of projects to review for a Contractor, round up to the next whole number when the

percentage calculation yields a decimal point, e.g. 101 projects x 10% = 10.1 means that 11 projects shall be reviewed.

**907.4.2.1.1** Project documentation file(s) shall include

**907.4.2.1.1.1** A copy of the original work scope and signed proposal;

**907.4.2.1.1.2** HERS Rater and Contractor names and contact information;

**907.4.2.1.1.3** Program sponsor name, completed final verification checklist;

**907.4.2.1.1.4** Energy simulation software file;

**907.4.2.1.1.5** All test out results.

**907.4.2.1.2** When the Rating Quality Assurance Provider's Quality Assurance Designee conducts the QA File review, they shall review at least one (1) project documentation file for each EnergySmart Contractor and EnergySmart Team. The Quality Assurance Designee shall equitably distribute the QA File reviews of each individual EnergySmart Contractor's or Team's Projects.

**907.4.2.2** The Quality Assurance Designee will confirm that each EnergySmart Contractor for the project has been approved by a RESNET-approved CEQ Provider as demonstrated by listing on the RESNET EnergySmart Contractor Directory.

**907.4.2.3** The Quality Assurance Designee will verify the completion of the HERS Rater Final Verification checklist.

**907.4.2.3.1** There must be consistency between the Final Verification Checklist and final test out results, copy of work scope, and signed proposal.

**907.4.2.3.2** Must include reported results of nonconformance by Final Verification.

**907.4.2.4** The Quality Assurance Designee will review 10% of the HERS Rater Final Verifier energy simulation software file and projected estimated energy savings.

**907.4.3** Quality Assurance Field Review (QA Field review)

**907.4.3.1** For each HERS Rater that performs Final Verification for an EnergySmart Project the Quality Assurance Designee shall annually conduct QA Field reviews of EnergySmart Projects at a rate of 1% of verified projects or one project, whichever is greater. QA Field review shall include the greater of one (1) project or ten percent (10%) of each Contractor's annual total of projects completed. When determining the number of projects to review for a Rater and Contractor, round up to the next whole number when the percentage calculation yields a

decimal point, e.g. 101 projects x 1% = 1.01 means that 2 projects shall be reviewed.

**907.4.3.2** The Quality Assurance Designee shall confirm the results of the Final Verifier's combustion appliance testing where applicable.

**907.4.3.2.1** Where there are vented combustion appliances that use indoor air to vent combustion gasses, re-test Worst Case Depressurization in accordance with the QH Standard.

**907.4.3.2.2** Where any spaces contain combustion appliances, re-test for Carbon Monoxide in accordance with the QH Standard.

**907.4.3.3** The Quality Assurance Designee shall review the work scope and signed proposal, and shall confirm installed measures are consistent with selected measures and work scope in accordance with the QH Standard.

**907.4.3.4** The Quality Assurance Designee shall confirm the Final Verifier's Estimate of Project Energy Savings as follows:

**907.4.3.4.1** Calculate an independent estimate of projected energy savings for the EnergySmart Project using the same RESNET-approved software used by the Final Verifier.

**907.4.3.4.1** Compare the Final Verifier's final estimated energy savings against the Quality Assurance Designee's independent calculation of estimated energy savings.

**907.4.3.4.2** A Quality Assurance Designee will conduct an evaluation using the RESNET QA Review Checklist to determine if the file or field QA review complies with the RESNET Standards or needs corrective action.

#### **907.4.4 Non-Compliance and Resolution**

**907.4.4.1 Reporting:** Non-compliance of an EnergySmart Project with respect to installed measures or estimate of projected energy savings shall be reported to the CEQ Provider's Compliant Resolution Officer (CRO).

**907.4.4.2 Discipline:** Non-compliance of the Final Verifier's Final Verification of an EnergySmart Project with respect to installed measures or estimate of projected energy savings shall result in additional action in accordance with the Rating Provider's written Disciplinary Procedures.

**907.4.4.3 Record-Keeping:** Rating Providers shall maintain Quality Assurance records for every EnergySmart Project that has received Documentation or On-Site QA Field review for a period of no less than three (3) years and that will include the following:

**907.4.4.3.1** Copy of work scope and signed proposal;

**907.4.4.3.2** Names and contact information of the HERS Rater, ES Contractors, and Final Verifier;

**907.4.4.3.3** Program sponsor name;

**907.4.4.3.4** Completed final verification checklist;

**907.4.4.3.5** All test out results;

**907.4.4.3.6** QA Review Results.

## **908 ETHICS AND APPEALS COMMITTEE**

The Ethics and Appeals Committee shall have the responsibility of investigating ethics and consumer complaints and hearing appeals of an Application or Renewal Application that has been denied, or if a Provider has been placed on probation, or if a Provider's accreditation has been suspended or revoked. The Committee shall report to the RESNET Executive Director.

**908.1 Committee membership.** The Ethics and Appeals Committee shall be chaired by a member of the RESNET Board of Directors. The Chair shall be approved by the RESNET Board. Nomination of Committee members shall be made by the Chairman. The Committee shall be composed of a minimum of five (5) members, but no more than seven (7) members including the chairman. The Committee shall consist of a minimum of two (2) HERS Raters and a minimum of two (2) representatives of Provider organizations.

**908.2 Committee Responsibilities.** The Ethics and Appeals Committee shall have the responsibility of investigating ethics and consumer complaints and hearing appeals of an Application or Renewal Application that has been denied, or if a Provider has been placed on probation, or if a Provider's accreditation has been suspended or revoked within 30 business days.

## **909 ETHICS AND COMPLIANCE COMPLAINTS**

### **909.1 Filing of Ethics and Compliance Complaints**

**909.1.1** Ethics complaints may be filed for violation of the RESNET Code of Ethics.

**909.1.2** Compliance Complaints may be filed for failure to comply with the RESNET Standards

**909.1.3** Complaints shall document the alleged violation(s) or compliance issue(s). The complaint shall also be specific about which section(s) of the Code of Ethics or the RESNET Standards have been violated. To be considered, the full and complete complaint shall be submitted on the RESNET's online ethics or compliance complaint form posted on the RESNET web-site and contain the following information:



- 909.1.3.1** The name of the complainant and contact information;
- 909.1.3.2** The name of the party that is the subject of the complaint;
- 909.1.3.3** A complete description of the alleged violation(s);
- 909.1.3.4** A recitation of all the facts documenting the complaint;
- 909.1.3.5** Copies of all relevant documents.

## **909.2 Investigation of Complaints**

**909.2.1** RESNET has a tiered approach to investigation of complaints; RESNET makes an initial determination and all parties have the right to appeal the decision to the RESNET Ethics and Appeals Committee. Furthermore, a provider has the right to appeal any decision made by the Ethics and Appeals Committee to the RESNET Ethics Panel per section 910.2.3. Upon receipt of a complaint, RESNET shall assign a case number and RESNET staff shall review the evidence submitted. The Chair of the Ethics and Appeals Committee shall be informed. RESNET staff shall consider the documentation contained in 909.1.3 in making a determination to proceed or dismiss the complaint.

**909.2.2** In cases where RESNET staff finds the documentation submitted does not meet the minimum standards for an ethics or compliance complaint, the complaint may be dismissed. Both parties shall be notified of RESNET staff's finding by electronic mail.

**909.2.3** Upon a decision by RESNET staff that the complaint should proceed to the next step, RESNET shall send a copy of the complaint by electronic mail to the subject of the complaint immediately. The respondent has 20 business days to submit a full and complete response to the complaint. All relevant information and documentation shall be included in the response. The response shall be in writing and sent to RESNET by electronic mail.

**909.2.4** Upon receipt of the response, RESNET shall within thirty (30) business days of receiving the complaint, take action on the complaint. The action may include, but is not limited to:

- 909.2.4.1** Dismissal of complaint;
- 909.2.4.2** Require that steps be taken by the subject of the complaint to correct the problem; and/or
- 909.2.4.3** Specify sanctions under Section 912 (Probation, Suspension and Revocation of Accreditation) of this chapter.

**909.2.5** All parties to the complaint shall be informed by electronic mail of the RESNET's action.

**909.2.6** Actions shall be subject to appeal in accordance with Section 913 of these Standards.

**909.2.7** All complaints, responses, and supporting documentation received by RESNET shall be handled in strict confidence by RESNET staff, the Ethics and Appeals Committee and the RESNET Appeals Panel.

## **910 PROBATION, SUSPENSION, AND REVOCATION OF ACCREDITATION**

### **910.1 Notification.**

RESNET shall provide written notification to Providers of any decisions under this section. All notices shall be sent by certified mail, or other method which provides evidence of delivery. All notices shall clarify the procedures being followed, as stipulated in this Standard, and include, where applicable, a statement of the Provider's rights to appeal under Section 911 of this Chapter.

### **910.2 Probation**

If RESNET determines at any time that a Provider has failed to adhere to the accreditation requirements set forth in these Standards, RESNET shall notify the Provider of the specified deficiencies and shall require that specific corrective action, set forth in the notification, be taken within a specified time after the date set forth in such notification. A notice of probation may be appealed under Section 911 of this Chapter.

#### **910.2.1 Types of probation:**

**910.2.1.1** Administrative Probation. Results from violations found through a Rating Quality Assurance Provider's QA process, RESNET quality assurance monitoring or through the RESNET complaint resolution process. RESNET shall notify the Provider of the specified deficiencies and shall require that specific corrective action, set forth in the notification, be taken not later than twenty (20) business days after the date set forth in such notification. Probations resulting from these violations shall remain confidential. These violations may include but not limited to:

**910.2.1.1.1** Failure to submit to RESNET any material information required to be submitted by the Provider, in accordance with obtaining or maintaining accreditation;

**910.2.1.1.2** Failure by a Rating Quality Assurance Provider to make annual changes/updates to their Policies and Procedures;

**910.2.1.1.3** Failure by a Rating Quality Assurance Provider to adhere to requirements for quality assurance of HERS Raters that causes a minor deficiency in

the Quality Assurance of one or more HERS Raters;

**910.2.1.1.4** Failure by a Rating Quality Assurance Provider to adhere to requirements for HERS Rater certification and re-certification;

**910.2.1.1.5** Failure by a Rating Quality Assurance Provider to enforce corrective action requirements for HERS Raters having non-conforming Quality Assurance results;

**910.2.1.1.6** Failure to adhere to one or more provisions of the RESNET Standards.

**910.2.1.2** Disciplinary Compliance Probation. More serious compliance violations found through a Rating Quality Assurance Provider's Quality Assurance process, RESNET quality assurance monitoring or through the RESNET complaint resolution process. RESNET shall, at its discretion, make a final determination regarding the necessity of posting a probation resulting from these violations on the RESNET web site. These violations may include but are not limited to:

**910.2.1.2.1** Failure to correct the terms of an administrative probation during the time period defined in the issuance of probation;

**910.2.1.2.2** Investigated and validated ethics or compliance complaints against a Provider;

**910.2.1.2.3** Failure by a Rating Quality Assurance Provider to follow their complaint resolution process regarding actions of the Provider or their HERS Raters;

**910.2.1.2.4** Failure by a Rating Quality Assurance Provider to follow their HERS Rater/RFI Disciplinary Procedures;

**910.2.1.2.5** Misrepresentation of any accreditation or certification status in marketing materials, or services offered or actually provided, for which the Provider organization does not possess the appropriate RESNET accreditation or affiliated individuals do not possess the appropriate RESNET certification;

**910.2.1.2.6** A Rating Quality Assurance Provider knowingly registering fraudulent ratings to the National RESNET Registry;

**910.2.1.2.7** Willful misconduct;

**910.2.1.2.8** A Provider shall at a minimum be placed on Disciplinary Probation if they have been placed on Administrative Probation twice within twelve months.

**910.2.1.2.9** Rating Quality Assurance Providers placed on Disciplinary Compliance Probation by RESNET will be subject to a fine set by the RESNET Board of Directors.

### **910.3 Suspension**

**910.3.1** At the discretion of RESNET, any Provider accredited by RESNET may have their accreditation suspended in any of the following circumstances but are not limited to:

**910.3.1.1** A Provider has had more than one (1) Disciplinary Probation violation within a twelve-month period;

**910.3.1.2** Failure to correct the terms of a Disciplinary Probation during the time period defined in the notice of probation;

**910.3.1.3** Submission of false information to RESNET in accordance with obtaining or maintaining accreditation;

**910.3.1.4** Misrepresentation of any accreditation or certification status in marketing materials, or services offered or actually provided, for which the Provider organization does not possess the appropriate RESNET accreditation or affiliated individuals do not possess the appropriate RESNET certification;

**910.3.1.5** A Rating Quality Assurance Provider knowingly registering fraudulent ratings to the National RESNET Registry;

**910.3.1.6** Willful misconduct;

**910.3.1.7** A Provider shall at a minimum be placed on suspension if they have any Disciplinary Probation violations within twelve months of reinstatement from a suspension.

**910.3.2** RESNET shall notify the Provider that their accreditation has been suspended and, unless the Provider chooses to appeal, the Provider shall be removed from the RESNET Provider Directory.

**910.3.3** RESNET shall post Providers whose accreditation has been suspended. The Provider's suspension listing shall be removed when the Provider successfully complies with the terms of the suspension.

**910.3.4** RESNET shall electronically inform accredited Rating Quality Assurance Providers, HERS Rating Software Providers, Rater Instructors/Assessors and HERS Raters of a Provider's accreditation suspension.

**910.3.5** Prior to reinstatement, the Provider shall:

**910.3.5.1** Successfully resolve the issue(s) that resulted in the Provider being suspended;

**910.3.5.2** Inform RESNET in writing as follows:

**910.3.5.2.1** That issue(s) that resulted in the Provider being suspended have been successfully resolved;

**910.3.5.2.2** Stating the steps taken to resolve the issue(s);

**910.3.5.2.3** Stating the steps that will be taken to prevent the issue(s) from occurring again in the future; and

**910.3.5.2.4** Requesting that RESNET reinstate the Provider's listing on the Directory.

**910.3.5.3** Rating Quality Assurance Providers Suspended by RESNET who wish to be reinstated must pay a fine set by the RESNET Board of Directors.

#### **910.4 Revocation**

**910.4.1** At the discretion of RESNET, any Provider accredited by RESNET may have their accreditation revoked in any of but not limited to the following circumstances:

**910.4.1.1** A Provider has had more than two (2) Disciplinary Probation violations within a twelve month period;

**910.4.1.2** In the event that deficiencies stipulated in a notice of suspension have not been remedied within the period set forth in such notice;

**910.4.1.3** Pursuant to any of the express provisions of sections 103.3.5, non-renewal;

**910.4.1.4** Provider goes out of business;

**910.4.1.5** Upon expiration of a Provider's right to appeal a suspension of accreditation pursuant to Section 913 of this Chapter;

**910.4.1.6** Fraud;

**910.4.1.7** A Principle of the organization has been convicted of or has admitted to a felony or is listed on any state or federal sex offenders list, when deemed by RESNET to impact performance or industry reputation.

**910.4.2** RESNET shall notify the Provider that their accreditation has been revoked and, unless the Provider chooses to appeal, the Provider shall be removed from the appropriate National RESNET Provider Directory.

**910.4.3** RESNET shall post Providers whose accreditation has been revoked. The Providers revocation listing shall be removed when the Provider successfully complies with the terms of the revocation.

**910.4.4** RESNET shall electronically inform accredited Rating Quality Assurance Providers, HERS Rating Software Providers, Rater Instructors/Assessors and HER Raters of a Provider's accreditation revocation within 30 business days after a decision by the committee.

### **910.5 Probation/Suspension/Revocation Due Process**

RESNET shall comply with the following due process procedures in considering any probation, suspension or revocation actions against an accredited Provider.

**910.5.1** RESNET may, at its discretion, initiate a probation, suspension or revocation action against an accredited Provider by providing the Provider written notice of the action. Such notice shall inform the subject Provider of the entire basis and justification for the action.

**910.5.2** Providers have the right to appeal a probation, suspension or revocation action in accordance with Section 912 of this Chapter.

**910.5.3** Upon the expiration of the notice to appeal period, failure to submit appeal documentation, as stipulated in Section 912, or the conclusion of the appeals process in which a Provider's appeals are unsuccessful. RESNET will remove the Provider's name and any directory listing from the RESNET website and post their probation, suspension or revocation status on the RESNET website with other Providers and HERS Raters who are under probation, suspension or revocation, and will, at a minimum, inform EEP's of their suspended/revoked status.

## **911 APPEALS PROCEDURES**

**911.1** Appeals of Provider and RESNET actions shall be made first to the RESNET Ethics and Appeals Committee, then to the RESNET Ethics Appeals Panel.

**911.2** Within five (5) business days after receipt of an appealable action, the Appellant shall notify the RESNET Executive Director of their intent to appeal. The Appellant shall then have fifteen (15) business days after the date of notice to submit appeal documentation to the RESNET Executive Director.

**911.3** Appeals shall include all relevant information and documentation and be sent in writing by electronic mail to the RESNET Executive Director.

**911.4** During the appeals process, all parties to the appeal may petition the body hearing the appeal for a stay of action on suspension or revocation upon expiration of the appeals process. A decision on the petition shall be rendered by the hearing body not later than ten (10) business days after receipt of the petition. In the event that additional information is requested, an extension of ten (10) business days may be applied in order to allow the appellant sufficient time to respond.

**911.5** Within twenty (20) business days of receiving the appeal, the Ethics and Appeals Committee shall render a decision on the appeal. In the event that additional information is

requested, a one-time extension of ten (10) business days may be applied in order to allow the appellant sufficient time to respond.

911.6 Within five (5) business days after receipt of the decision of the RESNET Ethics and Appeals Committee, the Appellant shall notify the RESNET Executive Director of their intent to appeal the decision of the RESNET Ethics and Appeals Committee to an independent hearing by a RESNET Ethics Appeal Panel. The Appellant shall then have ten (10) business days after the date of notice to submit appeal documentation to the RESNET Executive Director.

911.6.1 A hearing shall be scheduled at a time convenient to all participants within a thirty (30) day period. At least a ten (10) business days' notice shall be provided.

911.6.2 The Ethics Appeal Panel shall comprise three (3) voting members and one alternate who have not been directly involved in the dispute and who will not be materially or directly affected by the result of the decision made in the appeal.

911.6.3 At least two (2) persons shall be selected by the Appellant and at least two (2) persons shall be selected by RESNET as represented by the RESNET Executive Director, the RESNET Standards Manager and a member of the RESNET Board of Directors who will not be materially or directly affected by the result of the decision made in the appeal.

911.6.4 In cases where the Appellant does not wish to appoint any persons to the Ethics Appeal Panel, RESNET as represented by the RESNET Executive Director, the RESNET Standards Manager and a member of the RESNET Board of Directors shall appoint the members of the Ethics Appeal Panel.

911.6.5 The four (4) members selected shall hear the appeal. One (1) of the four (4) members shall be selected randomly as the alternate by the RESNET Standards Manager by a blind drawing. In the case that one of the three (3) voting members are unable to serve, this alternate will serve as the third voting member.

911.6.6 All decisions of the Ethics Appeal Panel shall be determined by a two thirds (2/3) majority. The Appellant shall have the burden of proof to demonstrate the fault of the RESNET Ethics and Appeals Committee decision. RESNET shall have the burden of proof to demonstrate that all actions taken were in compliance with the due process procedures of this standard.

911.7 Within thirty (30) business days of the date of a hearing, the RESNET Ethics Appeal Panel shall render a written decision on the appeal. In the event that additional information is requested, a one-time extension of ten (10) business days may be applied in order to allow the Appellant sufficient time to respond.

**911.6** All parties to the appeal shall be informed by electronic mail of the decision.

**911.7** All appeals documentation received by RESNET shall be handled in strict confidence by RESNET staff, the Ethics and Appeals Committee, and the RESNET Ethics Appeal Panel.



## **Appendix B-201x**

# **GLOSSARY OF TERMS**

***Direct Rating Provider***– A Provider who either receives fees for the rating or whose staff conduct any portion of the rating.

***RESNET Standing Committee***: A permanent RESNET committee intended to consider all matters pertaining to a designated subject.

***Third-party Provider*** - Providers who do not receive fees for the rating and whose staff do not conduct any portion of the rating.