



EPA's Purview When Responding to Homeowner Complaints Regarding ENERGY STAR Certified Homes

As the trademark owner of the ENERGY STAR name and Marks, EPA maintains the integrity of the ENERGY STAR program and takes all possible steps to deter misuse. A builder who is a partner in the ENERGY STAR Certified Homes Program might engage in misuse by:

- Affixing the ENERGY STAR certification label to a home that has not been properly built or certified to meet the program requirements in-force at the time of construction;
- Using the ENERGY STAR name or Marks in sales or marketing materials (brochures, websites, promotional emails) associated with a home that is not, or will not be, certified as ENERGY STAR; and
- Including the ENERGY STAR name or Marks in sales contracts to suggest or imply that a home will be ENERGY STAR certified, but not delivering ENERGY STAR certification upon completion.

Per the Terms and Commitments of the ENERGY STAR Partnership Agreement, if EPA determines that a home has been improperly certified as ENERGY STAR or represented to the buyer as such, builder partners are expected to take necessary actions to resolve the deficiencies documented by EPA in a timely manner. If the builder fails to make the needed improvements to the home, EPA will issue a letter to the homeowner and the builder stating that the home has been improperly certified as ENERGY STAR and that the label should be removed. Further, when issues arise regarding partners' misuse of the ENERGY STAR Brand, EPA has protocols in place to address infractions, which include provisions for partnership probation, suspension, and termination from the program.

Homeowners sometimes ask what additional steps EPA can take against a builder for mislabeling or misrepresenting a home as ENERGY STAR. EPA has limited authority to pursue corrective action apart from issuing a determination on home certification and suspending or terminating partnership when appropriate. Below are several actions that the Agency has NO authority to pursue (this should not be considered to be a comprehensive list of such actions):

- Sending EPA personnel or representatives to inspect a home in question;



- Taking legal action to compel a builder to make modifications to a home that was improperly-certified as ENERGY STAR;
- Pursuing financial compensation on behalf of the homebuyer;
- Pursuing criminal enforcement or other penalties against the builder beyond revocation of partnership; and
- Providing legal guidance to homeowners regarding litigation they are taking or may pursue against the builder.