

ENERGY STAR Certification System

for Homes and Apartments

Using an Energy Rating Index or Dwelling Unit Modeling
Compliance Path

Effective: ~~5/26/2020~~TBD

Last Revised: ~~5/9/2022~~TBD

1.0 Introduction

Since its inception, the U.S. Environmental Protection Agency (EPA)'s ENERGY STAR New Construction Program has required third-party verification of homes and apartments that earn ENERGY STAR certification. In 2007, EPA developed and implemented a structure to formally recognize the independent organizations that provide oversight of the verification process and the raters that performed the inspections and testing necessary to document compliance with ENERGY STAR program requirements. These organizations were referred to as Verification Oversight Organizations (or VOOs).

In 2018, EPA began a comprehensive update of the oversight recognition structure, including changing the terminology from VOO to Home Certification Organization (HCO). These changes are intended to better reflect the entire home certification process, rather than just verification oversight. The changes also provide for better consistency in EPA's approach across its residential home labeling programs (such as WaterSense). The certification structure is now defined by two documents:

ENERGY STAR Certification System for Homes and Apartments Using an Energy Rating Index or Dwelling Unit Modeling Compliance Path
This document, subsequently referred to as the <i>ENERGY STAR Certification System</i> , establishes the specific eligibility criteria, policy requirements, and certification procedures required of a Home Certification Organization (HCO).

ENERGY STAR Certification Protocol for Homes and Apartments Using an Energy Rating Index or Dwelling Unit Compliance Path
This companion document, subsequently referred to as the <i>ENERGY STAR Certification Protocol</i> , identifies the Standards and ENERGY STAR Residential New Construction national and regional Program Requirements required to be met for a home or apartment to earn the ENERGY STAR certification when an ERI or dwelling unit modeling path is used.

A Home Certification Organization (HCO) is defined as an independent organization that is recognized by EPA to implement an ENERGY STAR certification program that complies with the *ENERGY STAR Certification System*. These organizations are responsible for exercising final authority over decisions related to ENERGY STAR certifications for homes and apartments, including the credentialing, oversight, and quality assurance of individuals that verify homes and apartments to earn ENERGY STAR certification, hereafter referred to as 'raters.'

Originally, the HCO construct was put in effect for HCOs operating at the national level using Energy Rating Index (ERI)-based compliance paths, which covers the ENERGY STAR Single-Family New Homes and Multifamily New Construction “National” program requirements and all regional program requirements, except for California. In 2022, EPA expanded the HCO construct to cover homes and apartments certified in California, where regional program requirements that align with the state’s energy code are in effect. While most requirements in this document apply to all HCOs, a subset of modifications are applicable only to California-serving HCOs, as indicated in this document by a prefix of *For California*. Organizations may apply for HCO recognition at the national level, in California only, or both nationally and in California.

An organization seeking to become an HCO must submit an ‘Application for Recognition’ to EPA that demonstrates that it meets the program’s eligibility criteria and has the capability, competencies, and proper controls to implement an ENERGY STAR certification program in accordance with the *ENERGY STAR Certification System* and the *ENERGY STAR Certification Protocol*. EPA will evaluate each Application for Recognition and will either grant approval for an HCO to operate an ENERGY STAR certification program or provide written feedback to the applicant noting where the application did not meet EPA requirements and the opportunity to discuss identified issues with EPA. Applicants will be given 30 days to amend their application and resubmit for review. If the applicant does not resubmit within 30 days, the application will be terminated. Further, if EPA determines that the resubmitted application does not meet its requirements, the application will be terminated and the Agency will not review subsequent amendments to the application for a period of six months.

EPA’s recognition of an HCO relates solely and specifically to the ENERGY STAR Residential New Construction programs for site-built single-family homes and multifamily buildings that are certified using an Energy Rating Index (ERI) or, in California, dwelling unit modeling approach, and does not qualify an organization to implement or participate in other aspects of the ENERGY STAR program (e.g., ENERGY STAR certification of multifamily buildings using an ASHRAE-based approach or ENERGY STAR certified manufactured homes), nor federal tax credit verification (unless ENERGY STAR is specifically required for tax credit eligibility).

Activities undertaken by HCOs are not intended as services provided to the federal government. HCOs are expected to be market-based and may not submit claims for compensation to EPA or any other federal agency for their activities related to fulfilling the required roles and responsibilities of recognized

HCOs. Recognized HCOs may implement participation or certification fee structures, or seek funding from other sources, to support their ENERGY STAR certification program.

2.0 Effective Date

The *ENERGY STAR Certification System* shall be effective on May 26, 2020.

For California: The *ENERGY STAR Certification System* shall be effective for homes and apartments certified in California using Version 3.3 (and later) of the ENERGY STAR Single-Family New Homes California program requirements and Version 1.3 (and later) of the ENERGY STAR Multifamily New Construction California program requirements.

3.0 HCO Eligibility Requirements

To be eligible for recognition by EPA as an HCO, an organization is required to demonstrate the following:

3.1. Legal Responsibility

The organization is required to be a legal entity, or defined part of a legal entity, that can be held responsible for all activities related to its ENERGY STAR certification program.

3.2. Independent Governance

The organization is required to be independent, and all certification decisions are required to be independent from the influence of (1) builders and developers whose homes and apartments would be certified and (2) other entities directly involved in the design or construction of the building to be certified through its ENERGY STAR certification program. In addition, the organization is required to maintain an independent governance mechanism to ensure that its policies and activities related to its ENERGY STAR certification program comply with the requirements of the *ENERGY STAR Certification System* and the *ENERGY STAR Certification Protocol* and support the integrity of the ENERGY STAR program. Examples of such mechanisms include, but are not limited to, maintaining a Board of Directors or Independent Governance Committee with the following attributes:

- Specific responsibility for safeguarding the impartiality and integrity of the HCO's ENERGY STAR certification program;
- Authority to review the HCO's policies, procedures and actions;

- A balanced representation of significantly interested parties such as builders, conformity assessment experts, raters, designees, and representatives of trade associations, such that no single interest predominates;
- Access to all information necessary to fulfill its functions;
- Have the right to independently inform EPA if the HCO does not follow the input of this mechanism.

Accreditation to the ISO/IEC 17065 governing standard, “*Conformity Assessment: Requirements for bodies certifying products, processes, and services*,” is also considered to meet the independent governance requirement through section 5.2 of that standard, “Mechanism for safeguarding impartiality.”

3.3. Geographic Scope of Operations

The organization is required to have the ability to implement its ENERGY STAR certification program on a national level¹. This must be demonstrated, at a minimum, through the following:

- Having access to a network of raters capable of providing ENERGY STAR certifications across the U.S.; and
- Maintaining a quality assurance and oversight mechanism for raters that may be distributed across the U.S.

For California: The network of raters, and the quality assurance mechanism that provides oversight, need only be capable of providing ENERGY STAR certifications in California.

3.4. Staffing and Competency

The organization is required to employ, or have access to, sufficient personnel with the competencies necessary to meet all applicable requirements related to the *ENERGY STAR Certification System* and the *ENERGY STAR Certification Protocol*. This may include on-staff personnel, as well as designees² working under a contract or other formal agreement that places their activities under the legal responsibility of the HCO.

¹ EPA may consider recognizing HCOs that do not have national scope of operations for specific states or regions where unique geographic situations, code structures, or state/local law warrant different oversight models.

² See Section 6.0 for additional information about the use of designees.

4.0 HCO Policies

~~An HCO~~The HCO is required to maintain documented formal policies related to:

4.1. Business Code of Ethics

The HCO is required to maintain a business code of ethics for itself, its raters, and its designees (if used).

4.2. Impartiality and Objectivity

The HCO is required to maintain conflict of interest (COI) policies to identify and mitigate risks to impartiality of the HCO, its raters, and its designees. These policies must address COI that pertains to both the individuals and organizations involved in the ENERGY STAR certification process. Where designees are used, the HCO must maintain a specific conflict of interest policy for designees.

COI policies are required to include disclosure of existing or potential conflicts of interest and steps to resolve the conflicts. In addition to any other conflicts identified, these policies must address, at a minimum, the following conflicts:

- Conflicts between the HCO and its builder clients;
- Conflicts between individuals involved in the certification process and other entities involved in the design or construction of the home to be certified;
- Conflicts between raters, individuals performing quality assurance activities, and/or individuals making certification decisions.

All COI policies are required to be reviewed on an ongoing basis and disclosures updated, as necessary. The HCO is required to disclose any identified potential or existing conflicts of interest and mitigation steps to EPA on an annual basis.³

In addition, the HCO's organizational chart and management system is required to reflect impartiality of decision making related to its ENERGY STAR certification program and show a clear separation of roles between certification decisions from other business activities that may present a conflict of interest, if any. Certification decisions are required to be carried out by individuals that have not been involved in the process of evaluation (i.e., raters).

³ See Section [5.8](#) for additional information about HCO reporting requirements.

4.3. Non-Discrimination

The HCO's policies, and the administration of its policies, are required to be non-discriminatory and may not unduly impede or inhibit access to its ENERGY STAR certification program, nor the *ENERGY STAR Certification System* or the *ENERGY STAR Certification Protocol*. Further, the HCO is required to make its ENERGY STAR certification program accessible to all eligible ENERGY STAR builder and developer partners, and access may not be conditional upon the size of the ENERGY STAR builder or developer partner, nor membership in any association or group.

4.4. Publicly Available Information

The HCO is required to provide publicly available information online that describes its ENERGY STAR certification program and the HCO's policies and procedures for granting and withdrawing certification, including but not limited to:-

- Business code of ethics, per Section 4.1.
- Conflict of interest policies, per Section 4.2.
- Non-discrimination policies, per Section 4.3.
- The HCO's quality control protocols, per Section 5.2.
- The HCO's sampling protocol, if used, per Section 5.3.
- The published list of rating software tools approved for use in the HCO's ENERGY STAR certification program, per Section 5.4.
- Ethics complaint and homeowner inquiry policies, per Section 5.7.
- Qualification criteria for designees, if used, per Section 6.0.
- Implementation policies for amendments, modifications, and revisions, per Section 8.0.

5.0 Certification and Oversight Procedures

The HCO is required to take all necessary steps to evaluate conformance with the *ENERGY STAR Certification Protocol*, including the following measures:

5.1. Training, Credentialing and Listing of Raters

- Develop or recognize training, examination, and continuing education programs for raters that provide the knowledge and skills necessary to perform ERI ratings, verify ENERGY STAR-specific program requirements, apply relevant elements of the *ENERGY STAR Certification*

Protocol, and comply with the HCO's policies related to its ENERGY STAR certification program.

- For California: Training must provide raters the skills and knowledge to perform California HERS ratings, rather than ERI ratings.
- Credential individuals that have satisfied the training requirements specified above and ensure that only credentialed raters perform verification of homes and apartments to earn the ENERGY STAR label.
- Maintain a public or private list of credentialed raters for its ENERGY STAR certification program that is updated regularly.

~~5.2. Approved Software Rating Tools~~

~~EPA reserves the right to review the software rating tools on an ongoing basis and grant final approval for a tool's use in an HCO's ENERGY STAR certification program. An HCO is required to:~~

- ~~Ensure that software rating tools used in the HCO's ENERGY STAR certification program are approved through one of the following pathways:~~
 - ~~EPA validation of proper functioning of software that is built using EnergyPlus and the NREL-developed ruleset for calculating ERIs.~~
 - ~~Approval by the RESNET Accreditation Committee in accordance with the most current version of RESNET Publication 002.~~
 - ~~For California: Rather than the above pathways, ensure that software rating tools used in the HCO's ENERGY STAR certification program for homes and apartments in California are approved by the California Energy Commission (CEC) in accordance with the applicable version of California's Building Energy Efficiency Standards.~~
- ~~Ensure that current versions of software rating tools are used for ENERGY STAR certifications. A transition period no longer than six (6) months is allowed following new software version releases, as determined by a home or apartment's permit date.~~

5.3.5.2. Quality Control Protocols

The HCO is required to implement comprehensive quality control systems and procedures that ensure that ENERGY STAR certifications of homes and apartments are supported by on-site observation and testing including, at a minimum:

- ~~Collection of energy simulation files for every certified home;~~

- Quality assurance-control file review of on at least one in ten (10%10)-percent of a Rater's certified homes (minimum one per year)-, to include the following features: submitted by each individual rater;⁴
 - Homes shall be randomly selected for file review by the approved rating software;
 - The quality control file review shall be performed by a human reviewer using the ENERGY STAR Quality Control Checklist, as well as an HCO checklist covering the referenced national standards;
 - At the latest, file review shall be completed within ten (10) business days of certification.
- If the above file review step is assigned to a designee, an additional quality control file review directly by HCO personnel on at least one in 200 (0.5%) certified homes, to include the following features:
 - Homes shall be selected randomly by the HCO database system from the pool of ENERGY STAR certifications, with between 50% and 75% of the selections comprising homes that previously underwent file review by the designee.
 - The quality control file review shall be at least as rigorous as the 10% file review above and be performed by a human reviewer using the ENERGY STAR Quality Control Checklist, as well as an HCO checklist covering the referenced national standards;
 - At the latest, a maximum of ten (10) additional business days after the prior item's deadline is permissible for this step.
- For each Rater, annual Quality assurance-field evaluation(s) to assess the Rater's skills and knowledge of current applicable policies, procedures, and program requirements and perform quality control of installed measures on certified homes (and/or homes pursuing certification). For Raters performing one hundred (100) or fewer annual certifications, field evaluation shall occur on at least one (1) home per year and alternate between the pre-drywall and final stages in alternating years.-, For Raters performing more than one hundred

⁴ Proposals to calculate the file quality control rate using a statistical calculation based on a 95% confidence interval, rather than a fixed 10% rate, may be submitted to EPA for consideration. Proposals should ensure sample populations used to calculate review rates are appropriately defined as comprising similar items, which, for large energy rating companies, will generally require distinguishing between different divisions that may have different protocols, equipment, or culture.

- ~~(100) annual certifications, field evaluation shall occur whereby quality assurance personnel independently verify ENERGY STAR program requirements via a witness or after the fact test, on~~ at least one (1) percent of homes at the pre-drywall stage and one (1) home at the final stage per year submitted by each individual rater, for a total of at least two (2) annual field evaluations. Field evaluations shall include the following features:
- ~~o~~ To capture a broad cross-section of homes for quality control purposes, homes shall be selected to capture a representative cross-section of builders, locations, and home types and homes shall not be re-used for the purpose of field evaluation;
 - ~~o~~ The field evaluation protocol shall include quality assurance personnel independently verifying all applicable minimum rated features and ENERGY STAR program requirements via a witness or after-the-fact test;
 - ~~• Selection of homes for file and field review are as representative as possible across builders and communities;~~
 - A set of repeatable standards for assessing whether discrepancies found during quality assurance file reviews and field ~~inspections-evaluations~~ are within allowable thresholds, which include the use of the appropriate ENERGY STAR Quality Assurance checklist and a maximum allowable ERI score variation of three percent (3%);
 - ~~o~~ For California: Rather than being based on 3% variation, threshold standard must ensure that installed building components meet or exceed the energy performance of the design specifications (in alignment with the threshold structure in herent in California's Building Energy Efficiency Standards).
 - ~~• An accidental data loss and missing photo policy with adequate safeguards against abuse.~~
 - In the event that discrepancies are discovered outside allowable thresholds, provisions for addressing the specific discrepancies of the certification(s) in question and, more generally, for identifying and addressing the root cause(s) to ensure the discrepancies do not reoccur; and
 - ~~•~~ In the event of recurring discrepancies on an individual raters' homes, provisions for increasing the rate of file review and field evaluation, as well as conditions for triggering disciplinary action by the HCO.

- If HCO protocols allow for any file review or field evaluation step to occur after certification, a formal procedure to recall a certification should unresolvable errors be discovered during a review/evaluation that includes, in part, a standardized notice to be sent to the builder.

Quality Assurance Protocols that employ ~~innovative alternative~~ quality control schemes, such as those relying on remote video QA, automated file flagging, ~~and/or proposing alternative file and field review frequencies, or artificial intelligence (AI)~~ may be submitted to EPA for consideration.

5.4.5.3. Sampling Protocol

The HCO may choose to offer a sampling protocol for use ~~in its ENERGY STAR certification program with the ENERGY STAR Multifamily New Construction program for all building types except townhomes.~~ Note that sampling is not allowed to be used with the ENERGY STAR Single-Family New Homes program nor townhomes in the ENERGY STAR Multifamily New Construction program.⁵

When offered, the sampling protocol is required to, at a minimum:

- Require collection of energy simulation files for every certified home based on a worst-case analysis;
- Require that ~~homes and apartments~~ dwelling units participating in sampling be within the same subdivision or planned community, be the same construction type, and include the same envelope systems;
- Require successful inspection of at least the first seven (7) consecutive instances of a sampled measure before applying sampling to that measure;
- Ensure that verification occurs on a representative sample of ~~homes and apartments~~ dwelling units ready within a 30 calendar day period at a rate of no less than one-in-seven (or 15 percent);
- Corrective actions to address failures identified during sampling, including, at a minimum:
 - Correction of any failed measures in the ~~home or apartment~~ dwelling unit where it was discovered,
 - Additional evaluation of measures in minimum of two (2) additional homes or apartments, and

⁵ Sampling was phased out for ENERGY STAR Single-Family New Homes and all townhomes (including those in the ENERGY STAR Multifamily New Construction program) for dwellings permitted after 1/1/25.

- After multiple additional failures, requalification through evaluation of measure in at least three (3) additional ~~homes or apartments~~dwelling units and/or documentation of a root cause analysis.

5.4. Approved Software Rating Tools

The HCO is required to identify and approve for use in its certification program software tools that include, and are continuously maintained with respect to, the following functionality:⁶

- A user interface that permits user input, manipulation, and review of:
 - All datapoints necessary to demonstrate compliance with minimum rated features defined in referenced standards;
 - The mandatory ENERGY STAR checklists, as stored in an itemized machine-readable format;^{7,8}
- A user interface that permits user upload and review of:
 - A digital copy of the mandatory HVAC design documentation in a digital format, such as PDF or scanned image;
 - Mandatory on-site photos with timestamp and geotag metadata, as well as test results, as defined by referenced standards' inspection procedures and the ENERGY STAR program requirements;
- Calculation of a dwelling's ERI in a manner compliant with referenced standards, as validated through one of the following options:⁹
 - Integration of the open-source NREL-developed "OpenStudio-ERI" calculation engine;
 - Approval by the RESNET Accreditation Committee in accordance with the most current version of RESNET Publication 002;

⁶ Proposals to perform listed functions in the HCO database system, rather than the approved software rating tools, may be submitted to EPA for consideration.

⁷ In addition to supporting direct input of checklist data in the approved rating software tools, it is recommended (but, at this time, not required) for software to support data exchange with mobile data collection apps.

⁸ For buildings pursuing certification via the ENERGY STAR Multifamily New Construction program, it is acceptable (but not required) for software to support input of batch checklist data covering multiple units, provided that a data relationship is established so that every unit is associated with a checklist.

⁹ When calculating ERIs for ENERGY STAR purposes, approved rating software shall follow referenced standards, with the caveat that it may use the approved exceptions listed in *ENERGY STAR Exceptions to ANSI / RESNET / ICC 301 When Calculating Target ERI Values*.

- For California: Rather than the above options, software approval by the California Energy Commission (CEC) in accordance with the applicable version of California's Building Energy Efficiency Standards;
- Calculation of the ENERGY STAR ERI Target as defined by ENERGY STAR program requirements;
 - For California: The above requirement is not applicable;
- Builder organization name search box, auto-fill, or similar functionality to help users populate the builder organization name based on the builder's ENERGY STAR account name, as available via EPA's ENERGY STAR Partner List API ("Application Programming Interface");
- Automatic warnings and errors for those ENERGY STAR program requirements that can be assessed from software inputs, including builder partner name match, dwelling program eligibility, minimum applicable Version, and compliance with mandatory program measures (e.g., ENERGY STAR checklist items). At a minimum, software shall implement the standardized list of validations provided by EPA defined in the ENERGY STAR Software and Database Requirements;
- Ability to randomly select and assign homes for quality control File Review from the pool of Confirmed Ratings marked as pursuing ENERGY STAR certification;
- Ability to submit Confirmed Ratings to the HCO database of ENERGY STAR certified homes and apartments, including all data elements necessary to populate HCO database per Section 5.5;
- Ability to receive confirmations, errors, and other notices back from the HCO database and take appropriate action, such as presenting error messages to users. Software shall not indicate dwellings as having achieved ENERGY STAR certification nor allow users to print the ENERGY STAR label or certificate until the HCO database transmits positive confirmation of receipt and approval;
- Digital and physical printing of ENERGY STAR label and certificate, using the latest graphic templates and guidance provided by EPA;
- Meet all other applicable requirements of the ENERGY STAR Software and Database Requirements.

The HCO is also required to:

- Verify software rating tool compliance with these requirements at least annually by collecting and reviewing a copy of the ENERGY STAR Software Approval Form (available in the ENERGY STAR Software and Database Requirements) filled out by the software developer. EPA reserves the right to review software rating tools on an ongoing basis and grant final approval for a tool's use in an HCO's ENERGY STAR certification program.
- Publish a public list of software rating tools approved for use in its ENERGY STAR certification program.
- Ensure that approved software rating tools are updated by developers in a timely manner when factors such as program Revisions or the HCO database schema necessitate changes. In general, high-effort updates are expected to occur within 12 months and lower-effort changes sooner. The HCO shall seek EPA approval for any timelines longer than 12 months.
- Implement a policy to ensure current versions of software rating tools are used for ENERGY STAR certifications. A transition period of no longer than six (6) months is allowed following new software version releases, as determined by a home or apartment's permit date.
- Require Raters and/or designees to print (digitally or physically) documentation of ENERGY STAR certification, including the ENERGY STAR label and certificate, exclusively using approved rating software.

5.5. HCO Database of ENERGY STAR Certified Homes and Apartments

The HCO is required to develop and continuously maintain a database of ENERGY STAR certified homes and apartment that includes the following functionality:

- Acceptance and storage of data submissions from approved rating software per Section 5.4, including the following minimum data elements:
 - Summary information including physical address, certification date, builder or developer partner name, rater name and company, software version number, ENERGY STAR version number, all minimum rated features as defined in referenced standards, ERI score, ENERGY STAR ERI Target;
For California: Rather than ERI metrics, database must include Efficiency Energy Design Ratio (EDR) and/or Compliance Margin delta, as applicable;
 - Complete energy rating files, including all minimum rated features;
 - The mandatory ENERGY STAR checklists, as stored in an itemized machine-readable format;

- A copy of the mandatory HVAC design;
- Copies of mandatory on-site photos and test results;
- Tracking of file review and field evaluation records as required per Section 5.2;
- Include in its database system, at minimum, the basic validations defined in EPA’s Homes Online Submission Tool API (HOST API) specifications. These validations shall be applied prior to the HCO database sending certification confirmation back to an approved rating software tool, per Section 5.4.
- Implement the HOST API to send real-time certification reports to EPA’s reporting database. Data fields to be transferred include, but are not limited to, the number of homes and apartments certified through the HCO’s ENERGY STAR certification program, by geographic location, builder or developer partner name, and energy rating company name (if used).
- Continuously maintain the HCO’s database system according to the functional requirements of the HOST API specification and coordinate with EPA as needed to resolve reporting errors.
- Meet all other requirements of the *ENERGY STAR Software and Database Requirements*.

5-5-5.6. Issuing the ENERGY STAR Label and Certificate

The HCO is required to maintain the final authority over all ENERGY STAR certifications and responsibility for determining that certified homes and apartments conform with the *ENERGY STAR Certification Protocol*. The HCO is required to maintain a policy that Raters provide the ENERGY STAR builder or developer partner with an ENERGY STAR label and certificate for each certified home or apartment. ~~Labels and certificates are based on template designs provided by EPA and include identification of the issuing HCO.~~

5-6-5.7. Ethics Compliance and Homeowner Inquiry Resolution

The HCO is required to maintain:

- An ethics complaint process covering the HCO, its raters, and designees;
- Procedures for disciplining raters, including provisions for appeal; and inform EPA when disciplinary action is taken¹⁰; and
- A resolution process for homeowner inquiries, including:

¹⁰ EPA reserves the right to terminate the ENERGY STAR Partnership Agreement of raters that violate the terms of their partnership or the Federal ENERGY STAR trademark.

- Providing a web page that allows homeowners to submit inquiries or concerns regarding the ENERGY STAR certification of their home or apartment.
- For eligible inquiries, performing Certification Reviews for the *ENERGY STAR Certification Protocol* as defined by the ENERGY STAR Certified Homes Rater Quality Assurance and Certification Review Checklist (pending) and rescinding the ENERGY STAR label in cases where the HCO determines a home fails the Certification Review.

5.7.5.8. Recordkeeping, Reporting, and Disclosure

The HCO is required to:

- Ensure the retention of certification documentation, including verification records, program documentation, on-site photos, test results, and all other records related to the *ENERGY STAR Certification Protocol* for a minimum of three (3) years.
- ~~Maintain a public or private database of ENERGY STAR certified homes and apartments, including physical address, certification date, ERI score, ENERGY STAR ERI Target, builder or developer partner name, rater name and company, software version number, and ENERGY STAR version number.~~
 - ~~For California: Rather than ERI metrics, database must include Efficiency Energy Design Ratio (EDR) and/or Compliance Margin delta, as applicable.~~
- Provide a public interface to the database above that, at a minimum, accepts queries by physical address and reports the home or apartment's current ENERGY STAR certification status and date. ¹¹
- ~~Provide EPA with quarterly summary reports of the number of homes and apartments certified through the HCO's ENERGY STAR certification program, by geographic location, builder or developer partner name, and energy rating company name (if used).~~
- Provide EPA with aggregate/summary information about the energy-efficiency features used in homes and apartments certified through the HCO's ENERGY STAR certification program, upon request. Examples might include average performance test scores or average installed HVAC performance for certified homes in a given year.

¹¹ EPA recommends, but does not require, that the HCO share address-level ENERGY STAR certification data with parties that make certification information available to the real estate marketplace (e.g., Multiple Listing Services, real estate listing websites, and other data aggregators serving the underwriting, appraisal, and/or lending communities.)

- Conduct annual internal management review and provide EPA with annual report (or more frequently, upon request) regarding the HCO's administration of its ENERGY STAR certification program, including quality assurance, dispute resolution activities, any identified conflict of interest and conflict of interest mitigation.

EPA recommends (but does not require) that HCOs share address-level ENERGY STAR certification data with parties that make certification information available to the real estate marketplace (e.g., Multiple Listing Services, real estate listing websites, and other data aggregators serving the underwriting, appraisal, and/or lending communities). EPA understands that HCOs may need to limit data sharing in accordance with their internal data usage and sharing policies.

5.8.5.9. Coordination with EPA

The HCO is required to:

- Maintain open lines of communication with EPA to address questions and concerns promptly.
- Participate in meetings upon request by EPA.
- Work collaboratively with EPA to facilitate the comprehensive and coordinated investigation and response to:
 - Findings resulting from routine quality assurance activities;
 - Certification discrepancies, including those referred to the HCO by EPA; and
 - Certification Review Requests and other inquiries from homeowners.

6.0 Use of Designees

~~An HCO~~The HCO is permitted to delegate many of the activities related to the implementation of its ENERGY STAR certification program to one or more external parties, referred to as designees. As examples, designees may serve as raters or perform quality assurance activities. Where ~~an HCO~~the HCO chooses to use designees, the HCO is required to:

- Take responsibility for all activities of designees related to the implementation of its ENERGY STAR certification program;
- Have documented qualification criteria for designees;
- Maintain a public or private list of approved designees and their approved scope of activity;
- Ensure that designees follow all of the HCO's policies and procedures, including those required in Sections 4.0 and 5.0;

- Have a quality assurance process by which to assess and monitor the activities completed by the designees on a regular basis; and
- Implement corrective action for any designee breach of the HCO's policies or procedures.

~~An HCO~~The HCO may not use designees for the following activities:

- Establishing policies governing ENERGY STAR certification activities, including business code of ethics and conflict of interest policies, as outlined in Section 4.0.
- Exercising final authority over credentialing of raters to work with the HCO's ENERGY STAR certification program, as outlined in Section 5.1.
- Exercising final authority over certification decisions and issuance of the ENERGY STAR label, as outlined in Section 5.5.
- Exercising final authority in resolving ethics complaints, presiding over appeals, and disciplining raters, as outlined in Section 5.6.
- Maintaining a database of homes and apartments that are certified as ENERGY STAR, as outlined in Section 5.7.
- Coordinating with EPA, as outlined in Section 5.8.

EPA reserves the right to prohibit a designee's participation in ENERGY STAR certification activities with cause.

7.0 EPA ~~Audits~~Oversight Reviews

EPA reserves the right to conduct periodic ~~audits-oversight reviews~~ of any and all HCO activities related to the implementation of the *ENERGY STAR Certification System* and the *ENERGY STAR Certification Protocol* as needed to ensure the value and integrity of the ENERGY STAR program. It is EPA's intention to ~~audit-review~~ HCOs one (1) year after initial recognition and every two (2) years thereafter, with additional ~~audits-reviews~~ as necessary based on performance issues that arise. EPA may revisit the ~~audit oversight review~~ protocols and schedules as the HCO marketplace evolves. These ~~audits-reviews~~ may include, but are not limited to:

- Review of HCO policies, procedures, documentation, and certification records.
- Phone interviews with HCO personnel and/or designees.
- In-person meetings with HCO personnel and/or designees at the HCO, designee, or EPA offices, at EPA's discretion.

- Site visits (including re-evaluation, at EPA’s discretion) at homes and apartments that have been certified by the HCO through the *ENERGY STAR Certification Protocol*.

HCOs are expected to fully cooperate with EPA audits/reviews, provide requested documentation, and make personnel available for interviews and meetings with EPA staff.

If EPA’s audit review identifies deficiencies, EPA will provide the HCO with written notification and allow 30 days to resolve identified issues and provide EPA with a written response to EPA’s findings. If the organization fails to submit a satisfactory response to EPA that addresses the deficiencies identified, EPA reserves the right to suspend or terminate the organization’s recognition.

8.0 Amendments, Modifications, and Revisions

The following sections describe procedures to be followed in the event of amendments, modifications, and/or revisions initiated either by the HCO or EPA.

8.1. EPA-Initiated Changes

EPA reserves the right amend, revise, or provide technical clarification regarding the *ENERGY STAR Certification Protocol* and *ENERGY STAR Certification System* as needed to ensure the value and integrity of the ENERGY STAR program.

EPA generally releases revisions to program documents referenced in the *ENERGY STAR Certification Protocol*, such as the National Program Requirements and Mandatory Measures, once per year. HCOs are required to implement changes according to the implementation timeline exhibit that EPA publishes with each update.

For changes to the *ENERGY STAR Certification System*, organizations previously recognized by EPA will generally be given 180 days to implement any policies or procedures needed to comply with new EPA requirements, unless otherwise specified by EPA based on consultation with HCOs. If changes affect an HCO the HCO’s Application for Recognition or an applicant’s referenced documents, the HCO is required to provide EPA with a redlined copy of any updates.

8.2. Revision, Amendments, and Interpretations of Referenced Standards

HCOs are required to implement revisions, amendments, and interpretations of standards referenced in the *ENERGY STAR Certification Protocol* within one (1) year of formal adoption by the standards developer and to publish an implementation timeline online. HCOs may request that EPA

allow for a longer implementation period when needed and on a case-by-case basis. If granted, the extended implementation timeline would be made available to all recognized HCOs.

8.3. HCO-Initiated Changes

The HCO is required to notify EPA in writing about any proposed organizational, procedural, or policy changes, such as an addendum or interpretation to the HCO's operating standards, that materially affect its compliance with the requirements outlined in the *ENERGY STAR Certification System*. If changes affect ~~an HCO~~ the HCO's Application for Recognition or applicant's referenced documents, the HCO is required to provide EPA with a redlined copy of any updates. Notification must be made at least 60 days prior to the implementation of such changes and with sufficient time to allow for EPA to evaluate the changes and determine if the HCO will continue to meet all program requirements.

9.0 Suspension/Termination

EPA reserves the right to suspend or terminate its recognition of ~~an HCO~~ an HCO that no longer meets the eligibility, policy, certification and oversight procedure requirements of the *ENERGY STAR Certification System* and/or has demonstrated a pattern of actions that may negatively impact consumer and industry confidence in, or the integrity of, EPA's ENERGY STAR program. In such cases, EPA will provide the HCO with written notification and allow 30 days to resolve identified issues and provide EPA with a written response summarizing the changes made. If the organization fails to submit a satisfactory response to EPA that addresses the deficiencies identified, EPA will suspend or terminate the organization's recognition.

Should EPA suspend or terminate an HCO, or if an HCO determines that it will no longer implement an *ENERGY STAR Certification System*, the organization is required to cooperate with EPA to ensure an orderly closure of its activities and timely transfer of relevant documentation related to the certification of homes and apartments to the *ENERGY STAR Certification Protocol*. Organizations whose recognition as an HCO is terminated may re-apply for recognition after a period of six months.