

## DIVISION 280

### ~~ENERGY RATED HOMES OF OREGON PROGRAM~~

~~813-280-0000~~

#### ~~Purpose and Objectives~~

~~OAR chapter 813, division 280, is promulgated to accomplish the general purpose of ORS 456.550 to 456.725, specifically 456.550, which designates the Department as the central source of information, planning, educational services and technical assistance on housing issues for persons and families of lower income. OAR chapter 813, division 280, describes the Energy Rated Homes of Oregon Program, which provides an assessment service to existing and prospective homeowners on the relative efficiency of the various components of a house which contribute to a household's utility bills. The Program's objective is to increase a home's energy efficiency and reduce a household's consumption—and therefore cost—of energy and also provide a household that participate in the program with a more comfortable and affordable home.~~

~~Stat. Auth.: ORS 456.550—ORS 456.725~~

~~Stats. Implemented: ORS 456.550~~

~~Hist.: OHCS 10-2002(Temp), f. & cert. ef. 6-19-02 thru 12-15-02~~

~~813-280-0010~~

#### ~~Definitions~~

~~All terms are used in OAR chapter 813, division 280, are defined in the Act, in 813-005-0005 and below. As used in OAR chapter 813, division 280, unless otherwise indicated by the context:~~

- ~~(1) "Energy Efficient Mortgage" means a mortgage that secures repayment of a home loan that credits a home's energy efficiency or includes energy efficient upgrades.~~
- ~~(2) "EPA" means the U.S. Environmental Protection Agency.~~
- ~~(3) "FHA" means the Federal Housing Administration of the U.S. Department of Housing and Urban Development.~~
- ~~(4) "Home Energy Rating" means the measurement of a home's energy efficiency or its energy efficiency rating ("EER").~~
- ~~(5) "Home Energy Rater" means a residential energy efficiency professional certified by the Department to inspect homes and measure their energy characteristics.~~
- ~~(6) "Household" means an individual residing alone, or a group of individuals living together as one economic unit, for all or part of the next 12 months in a dwelling (which may be single-family housing or a unit in multi-family housing) assisted with Program funds.~~
- ~~(7) "HUD" means the U.S. Department of Housing and Urban Development.~~
- ~~(8) "Service Area" means the specific geographic area or region within which a Subgrantee Agency provides Program services directly or by contract.~~
- ~~(9) "Subgrantee Agency" means a private, nonprofit corporation organized under ORS Chapter 65, a housing authority established under 456.055 to 456.235, or a local government as defined in 197.015 with whom the Department has contracted to administer Program activities and services at the local level.~~
- ~~(10) "VA" means the U.S. Department of Veterans Affairs.~~

~~Stat. Auth.: ORS 456.550—ORS 456.725~~

~~Stats. Implemented: ORS 456.550~~

~~Hist.: OHCS 10-2002(Temp), f. & cert. ef. 6-19-02 thru 12-15-02~~

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~~Program Administration~~

~~(1) As part of its mission to provide technical assistance on housing issues for lower income Households, the Department has implemented a Home Energy Rating Program designed to encourage cost-effective energy-saving improvements and, as a result, decrease a Household's utility costs and increase its disposable income.~~

~~(2) Wherever feasible, the Department intends to use the existing network of community-based, service-provider agencies to conduct the Home Energy Rating assessments.~~

~~(3) The Department has entered into a Memorandum of Understanding ("MOU") with HUD and the EPA with regard to Program requirements and Home Energy Rating criteria.~~

~~Stat. Auth.: ORS 456.550—ORS 456.725~~

~~Stats. Implemented: ORS 456.550~~

~~Hist.: OHCS 10-2002(Temp), f. & cert. ef. 6-19-02 thru 12-15-02~~

~~813-280-0030~~

~~Home Energy Assessments~~

~~(1) A homeowner, prospective homeowner, builder or other individual may submit a request to the Department for a Home Energy Rating.~~

~~(2) If appropriate, the Department shall arrange for a Home Energy Rater to conduct an on-site inspection of a home and assess its energy characteristics.~~

~~(3) In conducting an assessment of a home, a Home Energy Rater shall measure its energy characteristics, including, but not limited to, the following:~~

~~(a) Insulation levels;~~

~~(b) Window efficiency;~~

~~(c) Wall-to-window ratios;~~

~~(d) Heating and cooling system efficiency;~~

~~(e) Solar orientation of the home; and~~

~~(f) Water heating system efficiency.~~

~~The Home Energy Rater shall do diagnostic testing, such as blower door for air leakage and duct leakage testing.~~

~~(4) Based on the results of an assessment done on a home, the Department will assign a Home Energy Rating to the dwelling between 1 and 100 points. The dwelling's Home Energy Rating will then be equated to a star rating that ranges from 1 Star for a very inefficient home to 5 Star for a highly efficient home.~~

~~(5) Along with the rating sheet indicating a dwelling's Home Energy Rating and star rating, the homeowner, prospective homeowner, builder or other individual submitting the Home Energy Rating request will receive an estimate of the home's energy costs and a report listing cost-effective options for improving the dwelling's Home Energy Rating. If a Home Energy Rater~~

~~makes recommendations on cost-effective energy improvements, the report shall also provide information on the relative economic return on the improvements.~~

~~(6) A Home Energy Rating may be requested by a the homeowner, prospective homeowner, builder or other appropriate individual to assess improvements made to a home pursuant to a Home Energy Rating report.~~

~~Stat. Auth.: ORS 456.550—ORS 456.725~~

~~Stats. Implemented: ORS 456.550~~

~~Hist.: OHCS 10-2002(Temp), f. & cert. ef. 6-19-02 thru 12-15-02~~

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#### ~~Financing Cost Effective Improvements~~

~~Under programs as the mortgage energy improvement programs offered by the FHA and VA, an Energy Efficient Mortgage may be used at the time of sale or refinancing to finance cost-effective improvements recommended in a Home Energy Rating report.~~

~~(1) If the improvements recommended by a Home Energy Rater are economically feasible, the funds for such improvements may be included in the mortgage and be placed into an escrow by the lending institution, title company or other appropriate entity.~~

~~(2) The homeowner has up to 90 days after loan closing (in the case of a FHA Energy Efficient Mortgage), or 180 days after loan closing (in the case of a VA Energy Efficient Mortgage), to make the improvements.~~

~~(3) Once the improvements are made, a post improvement Home Energy Rating shall be performed to confirm that the improvements were properly installed:~~

~~(a) If the improvements have been properly made, the escrow account funds will be released to pay for materials and contracted labor for the improvements; or~~

~~(b) If the improvements have not been made as required, the escrow funds shall be applied as a prepayment of the principal balance of the loan.~~

~~Stat. Auth.: ORS 456.550—ORS 456.725~~

~~Stats. Implemented: ORS 456.550~~

~~Hist.: OHCS 10-2002(Temp), f. & cert. ef. 6-19-02 thru 12-15-02~~

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#### ~~Home Energy Rater Certification~~

~~In order to be certified by the Department as a Home Energy Rater, an individual shall meet the following requirements:~~

~~(1) Attend training as specified by the Department; and~~

~~(2) Receive a satisfactory evaluation on both a field and written examination.~~

~~Stat. Auth.: ORS 456.550—ORS 456.725~~

~~Stats. Implemented: ORS 456.550~~

~~Hist.: OHCS 10-2002(Temp), f. & cert. ef. 6-19-02 thru 12-15-02~~

~~813-280-0060~~

## Fees

~~The Department may establish such fees, performance criteria or reporting requirements, as the Department as the Department determines is appropriate or necessary may consider appropriate or necessary.~~

~~Stat. Auth.: ORS 456.550—ORS 456.725~~

~~Stats. Implemented: ORS 456.550~~

~~Hist.: OHCS 10-2002(Temp), f. & cert. ef. 6-19-02 thru 12-15-02~~

~~813-280-0070~~

## ~~Waiver~~

~~The Director may waive or modify any requirements of this OAR chapter 813, division 280, unless such waiver or modification would violate applicable federal or state statutes or regulations.~~

~~Stat. Auth.: ORS 456.550—ORS 456.725~~

~~Stats. Implemented: ORS 456.550~~

~~Hist.: OHCS 10-2002(Temp), f. & cert. ef. 6-19-02 thru 12-15-02~~