

2025 WAP State Plan Master File

V.1 Eligibility

To be eligible for DOE WAP services, each dwelling unit must meet both client eligibility and building eligibility requirements.

V.1.1 Approach to Determining Client Eligibility

Provide a description of the definition of income used to determine eligibility

Consistent with DOE's income eligibility regulation that allows:

If the State elects, is eligible for assistance under the Low-Income Home Energy Assistance Act of 1981, provided that such basis is at least 200 percent of the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget.

EOHLC uses household eligibility for **HEAP (formerly LIHEAP)** as the determination of eligibility for DOE WAP services. Currently, HEAP eligibility in Massachusetts is based on 60% of the Estimated State Median Income which is greater than 200% of the Federal Poverty Level.

Describe what household Eligibility basis will be used in the Program

EOHLC uses a "Single Certification Process" in conjunction with the Low-Income Home Energy Assistance Program (HEAP) also administered by EOHLC. Effective in FY 2009, HEAP allows clients who are certified as eligible for HEAP, up to 60% of the Estimated State Median Income to receive weatherization assistance from the DOE WAP. The single certification process simplifies the application process for clients, enables Subgrantees to share staff and resources in the certification process, as well as providing the client with a more comprehensive energy package. The process also provides consistency of eligibility for HEAP, HEARTWAP (EOHLC's HEAP-funded heating system repair, replacement, and maintenance program), and a variety of utility-funded energy efficiency programs, in addition to the DOE WAP. Those households that may not be eligible for HEAP, but are categorically eligible for the DOE WAP by virtue of receiving cash assistance payments under Title IV or XVI of the Social Security Act, are eligible for weatherization services as per DOE regulations. Additionally, households that are not interested in HEAP services may apply for weatherization through the HEAP operating agency (in most cases the same agency as the WAP) and income eligibility determination is based on the HEAP certification requirements or the categorical DOE eligibility outlined above.

Effective in FY 2022, DOE extended categorical income eligibility to HUD means-tested programs. WAP Subgrantees may certify that applicants have met the income requirements of HUD means-tested programs through mechanisms including, but not limited to, applicant documentation, interagency lists of recipients, shared system databases, etc. The method of verification of eligibility must be included in the client file. EOHLC is exploring the appropriate implementation of this program update.

In 2022, WAP categorical eligibility was expanded to include clients who meet the U.S. Department of Agriculture (USDA's) income eligibility requirements. DOE maintains an approved list of USDA income qualifying subsidized properties. As of December 2024, WAP categorical eligibility was expanded with the USDA programs which are means-tested at 80% Area Median Income (AMI) or below. WAP provides an updated Eligible Building List which includes buildings identified to be categorically eligible for WAP services. EOHLC and its Subgrantees may certify that applicants have met income requirements of USDA means-tested programs and are eligible for weatherization services through program including, but not limited to:

- Section 521 Rental Assistance
- Section 502 Direct Home Purchase Program
- Section 533 Housing Preservation Grant Program
- Section 504 Home Repair Programs

Subgrantees are reminded that applicants applying for weatherization must have their eligibility documentation recertified within twelve (12) months of service.

Please contact EOHLC ECU staff to obtain a copy of the approved USDA buildings' lists.

Describe the process for ensuring qualified non-citizens are eligible for weatherization benefits

EOHLC uses the HEAP application certification process to determine eligibility for HEAP and DOE WAP services. The Single Certification application process in Massachusetts for HEAP and WAP requires documentation from applicant households proving their U.S. Citizenship or Qualified non-citizen status. Qualified non-citizens include individuals who are lawfully in the U.S. and non-citizens who are lawfully admitted for permanent residence, asylees, refugees, non-citizens paroled into the U.S. for at least 1 year, non-citizens whose deportation is being withheld, non-citizens granted conditional entry, Cuban/Haitian entrants, and certain battered non-citizens and their children. Non-Qualified non-citizens are not eligible for benefits. All HEAP eligible households are referred to WAP and clients are selected from a HEAP priority ranked eligibility list. Qualified non-citizens are eligible for WAP services and will be served consistent with their priority status.

V.1.2 Approach to Determining Building Eligibility

Procedures to determine that units weatherized have eligibility documentation

HEAP Subgrantees are required to document all household income as part of a client's Fuel Assistance application to determine household's eligibility. According to guidelines outlined in the Massachusetts HEAP Administrative Guidance, the documentation may include: pay stubs, public assistance benefits assistance checks, unemployment payments, verification of rental income, or pension checks. Verification of the household's income information from all sources is recorded on the application and remains in the client's HEAP file.

The process is consistent with DOE Regulations, which allows states to use HEAP eligibility criterion as the basis of eligibility under WAP, provided that the HEAP basis is at least 200% of the poverty level, and that the same basis is used throughout the State. Clients who are

homeowners are required to show proof of homeownership and clients who are tenants must have signed permission from the building owner/landlord consistent with EOHLC's rental guidance before work can proceed.

The software package used by the HEAP Subgrantees to manage the program and client eligibility in Massachusetts is fully integrated with the WAP software implemented during the DOE WAP FY 2025. Eligibility determination documentation is included in the DOE WAP file.

Describe Re-weatherization Compliance

Consistent with DOE WAP regulations effective in Program Year 2021, EOHLC allows Subgrantees to provide additional eligible cost-effective energy efficiency measures to dwelling units that had received weatherization services on a rolling basis fifteen (15) years after the date when such previous weatherization was completed. Subgrantees, however, are limited to no more than five percent (5%) of the agency's annual unit production goal as allowable re-weatherized dwelling units. Total re-weatherization statewide in a Program Year can be no more than three percent (3%) of the total production goal.

Subgrantees are required to maintain a tracking system and historical records of previously weatherized addresses in a manner that permits an easy search to identify the address' weatherization status. Subgrantees typically use a spreadsheet or database to identify the weatherization funding source, expenditures, and measures completed. The system is searched by Subgrantee staff to determine the status of the address before any outreach activities are conducted. During the annual WAP Program Assessments, EOHLC reviews the re-weatherization identification system and tracks several completed units to determine that their status was properly identified.

A weatherized dwelling unit in which the weatherization improvements have suffered fire or flood damage not covered by applicable insurance, may be treated as a new weatherization job provided that adequate documentation of the non-recoverable loss is presented to and retained by the local weatherization agency. Such documentation must also be placed in the client's file.

For re-weatherization options due to disaster situations, please refer to **Section V9** of this Master File.

This re-weatherization process does not preclude dwelling units that have received previous weatherization from receiving assistance and services (including the provision of information and education to assist with energy management and evaluation of the effectiveness of installed weatherization materials) other than weatherization under this part or under other Federal programs, or from receiving non-Federal assistance for weatherization.

Describe what structures are eligible for weatherization

Eligible structures include: single family dwellings (rental and owner occupied), small multi-family dwellings (1-4 units), condominiums, multi-family buildings (5+ units), manufactured housing (mobile homes), as well as group homes, single room occupancy rooming houses (SRO), and shelters.

Large multi-family buildings, group homes, shelters and SRO's must be submitted to EOHLC for

prior approval. If large multi-family buildings are submitted to EOHLC to receive DOE WAP Services, EOHLC will contact the DOE Project Officer for approval prior to authorization.

The weatherization of non-stationary campers and trailers that do not have a mailing address associated with the eligible applicants is not allowed. The use of a post office box for non-stationary campers or trailers does not meet this requirement.

EOHLC has an executed Historic Preservation Programmatic Agreement between EOHLC, The Massachusetts Department of Energy Resources, The Massachusetts Historical Commission, and the U.S. Department of Energy. The current Programmatic Agreement was signed on November 27, 2020 and is valid until December 31, 2030. EOHLC will adhere to any restrictions associated with the DOE executed Programmatic Agreement.

Describe how Rental Units/Multi-Family Buildings will be addressed

EOHLC's policy regarding rental units/multi-family buildings and tenant protection policies is outlined in EOHLC's WAP IM-2009-008 Rental Guidance. The Rental Guidance protects against rent increases and protects against evictions for a minimum of one (1) year due to the weatherization work that was completed, and ensures that no undue property enhancements occur as a result of the weatherization process. EOHLC has streamlined the Rental Guidance to incorporate the majority of weatherization situations into a single Tenant/Property Owner/Agency Agreement. In those instances where rehabilitation is part of the weatherization process, more stringent agreements are available through Special Projects provisions. EOHLC requires that upon sale of the building within twelve (12) months of receiving weatherization services, that the new owner, either continue the agreement, or repay the agency for the cost of weatherization materials and labor. The agreement provides that the tenant is the intended beneficiary of the weatherization and specifically has a right of enforcement. This is intended to give the tenant standing in court.

From the Massachusetts WAP Policies and Procedures Manual:

Chapter 5: DOE WAP and HEARTWAP Rental Guidance

Section 5.1

RENTAL GUIDANCE OVERVIEW:

- **Legislation and Regulation:** The authorizing legislation for DOE Weatherization is the Energy Conservation and Production Act (ECPA) of 1976, as amended, (42 USC 6864 et. seq.). The Act allows weatherization not only in owner-occupied homes, but in low-income rental dwellings as well. Under the Act and DOE regulations governing the program (10 CFR 440.22):
- The Subgrantee must secure the property owner or his/her agent's written permission for the weatherization work;
- The benefits of weatherization services in rental dwelling units, including units where the tenant(s) pay for their energy through their rent, will accrue primarily to the low-income tenant(s) residing in such dwelling

units.

- Rents must not be raised for a period of twelve (12) months because of any increased value to a dwelling unit due solely to the weatherization work, and after twelve (12) months unless those increases are demonstrably related to matters other than the weatherization work performed.
- The value of the owner's property must not be unduly or excessively enhanced. The intent is that the benefit of the weatherization work adheres to the low-income tenant. DOE regulations also provide specific standards for determining eligibility of multifamily rental housing for the program.
- **EOHLC's Interpretation of the Legislation and Regulations:** From the beginning of the operation of the WAP, EOHLC's policy has been that tenant protection is of primary concern. It was determined that tenants should receive the benefit of the program in two ways:
 - Tenants should receive a tangible benefit from weatherization including an increase in comfort in their homes as well as lower energy bills.
 - Tenants should be reasonably assured that they will continue to enjoy the benefits of the program for a period of time after receiving the weatherization services.
 - **Property Owner Contributions:** EOHLC encourages, but does not require, an in-kind contribution from the property owner, especially in those circumstances when multiple units are receiving weatherization services and the resultant value of those services is high. It is appropriate, however, for a Subgrantee to require owner contributions to repair Massachusetts sanitary code or building code violations as a pre-condition for receiving weatherization services.
 - **Longer Term Agreements/ Rent Limitations:** An additional approach to assuring that tenants receive the benefits of weatherization is to increase the period of the agreement and/or further regulate rent increases over the agreement period. This is particularly appropriate if the weatherization benefits proposed for the building are of a high monetary value.

Section 5.2

RENTAL WEATHERIZATION PROGRAM REQUIREMENTS:

- **Standard Rental Program Requirements:** Rent in weatherized dwelling units shall not be raised for twelve (12) months following the signature of the agreement, except as noted in this guidance. Owners whose property is weatherized shall agree that if the property is sold within twelve (12) months following the signature of the agreement, then either:
 - The obligations of the Tenant/Landlord Agreement shall be transferred with the sale of the property; or
 - The total amount of the weatherization materials and labor shall be refunded to the Subgrantee.

See the Appendix for the Standard Tenant/Landlord Agreement.

- **Allowable Exceptions, Omissions, and Alterations:** Under some circumstances, the basic weatherization program requirements may be modified because other programs' requirements, laws, or regulations supersede weatherization requirements, or because modifications of the weatherization requirements are the only means through which the program can be operated, because of particular local conditions. Unusual local problems should always be brought to EOHLC's attention as soon as possible.

Subgrantees are empowered to design local requirements that go beyond the basic requirements presented in this Master File. Such local additions must always be presented to EOHLC prior to implementation.

- **Rent Control:** Where weatherization is undertaken in a dwelling unit covered by rent control, the owner shall not be constrained from implementing rental adjustments ordered by the applicable Rent Board. The owner must present documentation that the dwelling unit is covered by rent control. The owner must agree in writing not to present to the Rent Board weatherization improvements made by the Subgrantee as the owner's own improvement expenses. If the applicable rent control eviction protections are more restrictive upon the owner than the Tenant/Landlord Agreement, then the rent control protections shall apply. A Tenant/ Landlord Agreement is still required.

- **Rent Subsidy Programs:** Requirements under various state and federally subsidized rent programs in privately-owned housing supersede the rent provisions of the WAP Tenant/ Property Owner Agreement. These programs may provide stronger protections against eviction and rent increases than the weatherization program. Consequently, EOHLC recognizes that those stronger protections supersede the weatherization agreement where appropriate.

- **Taxes, Revaluations, Water/Sewer Rates, and Other Charges:** There are some increases in operating costs to landlords that are not under their control, and which may be substantial. EOHLC's position is that for the minimum twelve (12) month period, most such charges will not be sufficient to warrant relaxing the no-rent increase policy. However, extenuating circumstances will be addressed on a case-by-case basis. Property owners will be required to justify those requests by documenting significant increases in property taxes, water/sewer rates, or other unusual increases in the operating costs of the property.

Section 5.3

THE TENANT/ LANDLORD (PROPERTY OWNER)/ AGENCY AGREEMENT (T/L AGREEMENT)

Since tenants are not the legal owners of their residences, work may not begin until it is legally consented to in writing by either the property owner or landlord (if the landlord legally represents the owner in this circumstance.)

To accomplish this legal consent, a three-party Tenant/Landlord/Agency Agreement (T/L Agreement) was developed to allow weatherization agency staff, HEARTWAP staff, and contractors to enter the client's premises in order to perform efficiency work. Subgrantees must use the Agreement in its final form, as attached to this guidance. Subgrantees, however, may add to the required provisions to address local conditions. Additions to agreements must

be submitted to EOHLC for approval prior to their use. A signed and dated Tenant/Landlord/Agency agreement needs to be kept in the client's file.

- **Standard Weatherization Agreement:** The basic Tenant/Landlord (Property Owner) weatherization agreement is intended to be the most frequently used weatherization agreement. Subgrantees must use the agreement in its final form, as included at the Appendix at the end of this Manual. Subgrantees, however, may add to the required provisions to address local conditions. Revised agreements must be submitted to EOHLC for approval prior to their use.
- **Standard HEARTWAP Agreement:** The Standard HEARTWAP agreement is identical to the basic WAP agreement. Appropriate references are made to HEARTWAP in place of WAP, including:
 - The Massachusetts Oil Burning code.
 - The maximum amount for tenant heating system replacement is noted as \$1,250 while asbestos abatement is \$1,500 maximum or 50%, whichever is less (unless the property owner is HEAP eligible).

Section 5.4

SIGNIFICANT ELEMENTS OF THE STANDARD WAP AND HEARTWAP T/L AGREEMENTS:

- **Parties to the Agreement:** Parties to the Agreement include the tenant, the property owner, and the Subgrantee. Note that the owner's agent may sign the agreement if the agent can demonstrate written authorization to conclude rental agreements.
- **Period of Agreement:** The agreement period begins upon signature by the Agency, which will be the last party to sign.
- **Location of the Dwelling and Permission for WAP Work:** The building address must include the unit number within the building, if applicable.
 - Section a) provides permission to inspect the unit.
 - Section b) provides permission to perform the weatherization work, following the NEAT/MHEA energy audit for the particular type of dwelling.
 - Section b) also provides a mandatory sign-off for the owner. The owner may allow the Agency to proceed with the weatherization work without further approval,

--or--

- The owner will agree to the work separately after seeing the Agency's write-up of the work. This does not mean that the owner can require measures that are not allowed by the WAP. The intention of this sign-off is that the owner be informed of the work to be done before the fact, to avoid any misunderstanding about what measures have been agreed to.
- The owner must initial one of the options, either to proceed with the work without further approval or to sign-off on the work list prior to the work beginning. With both options the Agency must provide a list of the measures and costs to the owner at the completion of the work.
- **Maximum Amount of Materials and Labor: Completion of WAP Work by Agency:** This section allows the Subgrantee to enter the estimated value of the work to be completed and that the Agency has discretion to determine the exact amount of work that will be done. This section also states the expected completion date of the work to be done by the Agency.

Note that asbestos removal is mentioned. EOHLC does not ordinarily pay for asbestos abatement under WAP. The possibility is provided for an extreme circumstance.

- **Owner Repairs:** In some cases, the owner will agree to do repair work as a pre-condition to the Agency starting weatherization work. The owner takes on the obligation to complete the repairs before the Agency starts weatherization. If the owner does not finish the work by the date agreed, then a written extension must be granted. If the owner does not meet the conditions of this section, then the Agency is not obligated to commence the weatherization.
- **Agreement to Allow Fuel Bills to be Examined:** Requires no additional signatures by the owner, but should be pointed out, especially if heat is included in the rent.
- **No Rent Increases Due to Weatherization:** This is a restating of the DOE law and regulations. There is no time limit on this provision.
- **Consideration of Weatherization Work:** The first paragraph makes the agreement effective from the date of signature and then sets the twelve (12) month minimum period from the date of completion.

The statutory language states that the primary benefit should accrue to the income-eligible tenant(s), but does not state any time limit on that benefit. Massachusetts and many other states adopted a basic twelve (12) month period because real world experience suggests twelve (12) months is a practical limit that owners will accept. The regulatory requirement under 10 CFR 440.22 (b)(3), however, does not recognize a time limitation. The increased time period in this revision of the Standard Agreement is in recognition of the need for tenants to have at least twelve (12) months of the weatherization benefits.

- **Rent May Not be Increased for Twelve (12) Months:** This period may be increased at the Subgrantee's discretion. The present rent must be stated, including the payment period (weekly, monthly, etc.). The agreement is worthless without completion of this section.

The waiver provision applies only to housing rented under state or federal rental programs in which tenant rents are directly subsidized and a state or federal regulatory process determines the rent tenants will pay.

- **No Eviction During the Agreement Period:** No eviction during the agreement period except for good cause related to the tenant (or successor tenant). This generally means that the tenant may not be evicted in the absence of serious or repeated violations of the terms of the lease or tenancy.
- **Sale of the Premises:** This provision is intended to provide some measure of protection for low-income tenants when the building is sold.

Under Option 1, the Property Owner agrees not to sell the property unless the buyer agrees to assume all obligations of the Agreement.

Under Option 2, the Property Owner agrees to repay the amount of materials and labor installed in the dwelling unit, as of the date of sale, if the dwelling is sold within twelve (12) months of receiving weatherization services. This repayment goes to the Subgrantee agency, not to the tenant.

- **Heat Included in the Rent:** This provision is applicable only if the heat cost is included in the tenants' rent. The provision includes the minimum twelve (12) months of no rent

increase and provides a percentage increase for a negotiated period of years. EOHLC suggests that the period of the extended agreement be based upon the amount of work and the number of units weatherized in the building as well as the expected savings to be generated for the owner. EOHLC will allow and support percentage increases where appropriate, and will be available for consultation on this issue.

If heat is included in the rent as part of a rent subsidy program, this section does not apply.

- **Other Rental Agreements:** This Agreement is incorporated into any other existing lease or agreement and if there are differences, this agreement supersedes other agreements unless the other rental agreement contains stronger protections for the tenant, in which case those protections apply.
- **Breach and Damages:** This section provides for the Subgrantee's right to recover the weatherization investment when the Property Owner has breached the agreement, including attorney's fees and court costs. The tenants' right to seek damages from the Property Owner is also addressed, and the owner agrees to pay the tenants' attorney fees and court costs.
- **Last Items:** There are three (3) important concepts here:
 - Placing the agreement under seal relates to the parties' intention that this be a binding contract.
 - The tenant or a successor tenant is the intended beneficiary. Should the tenant move out during the agreement period, the owner is still bound to abide by the agreement provisions for the next tenant.
 - The tenant or any successor shall have a right of enforcement, meaning the right to go to court and seek to enforce the agreement, or seek damages from the owner for breach of the agreement.
 - **Signatures and Dates:** Signatures are essential. The Subgrantee must always be sure a copy of the agreement with all required signatures is in the possession of all parties and especially in the client file. Dates are as important as signatures and should accompany any signature.
 - **Sale of Premises Provisions:** EOHLC requires a strong presentation to property owners and tenants about the rights and responsibilities of each party. Draft model letters can be found in this document's Appendix and these include the minimum information that must be given to landlords and tenants. Each Subgrantee may employ these models, or alternative written material that provides, at a minimum, the information provided in the model.

Section 5.5

ADDITIONAL PROVISIONS AND AGREEMENTS IN THE T/L AGREEMENT:

- **Term of Tenant Protection:** The Term of the Owners' Agreement and parallel provisions of other agreements, may be increased beyond twelve (12) months. This may be the result of doing work in a large multi-family dwelling in which a major investment of weatherization funds is being made and the agency believes that protection for tenants beyond twelve (12) months of the agreement is necessary. The EOHLC does not require approval of an increase in the twelve (12) month term, but we would like to be informed of such by Subgrantees.

- **Repairs:** The Subgrantee must specify the owner's contribution to weatherization in materials, labor, or funds. Where this contribution is being made to correct code violations, the agreement must specify that all WAP work is dependent upon prior completion of the owner's agreed upon work. In this instance, and where other landlord work must be completed in order for weatherization work to be done, the agreement should specify the dates for landlord completion of agreed upon tasks and that time is of the essence for completion.

Section 5.6

PROCEDURES FOR IMPLEMENTING THE STANDARD T/L AGREEMENT:

- **Clients Living in Private, Non-Subsidized Housing:** Upon receipt or approval of an eligible tenant's weatherization application, the Subgrantee must contact the owner of the building to advise him or her of the tenants' eligibility for weatherization and the benefits and responsibilities on the part of the owner. Most Subgrantees employ a brief written letter, such as those found in T/L Attachments.

The Subgrantee should never delegate the initial landlord contact to a third party, such as to an Auditor/Inspector or contractor working on a contractual basis.

The owner must sign the agreement prior to the WAP inspection, so that the Inspector is legally entitled to enter the premises. The tenant must also provide written permission to the Subgrantee to enter, inspect, and do the work at the point of application.

If the owner wishes to have an agent sign the agreement, the agent must provide a witnessed power of attorney signed by the owner, stating that the agent has the power to enter into contractual arrangements for the owner.

If the owner is making a contribution to the weatherization work, or is making necessary repairs as part of the weatherization agreement, particularly to repair building and sanitary code violations, the contribution and the work to be performed must be clearly stated in the Tenant/Property Owner Agreement.

The owner may provide permission to proceed before the energy audit is complete, or may require a review of the energy audit prior to a second sign-off. Following the inspection, but before the job is started, the Subgrantee must provide the owner with a detailed estimate of the weatherization work to be done, and the overall cost if the owner requests that.

- **Subsidized Housing Programs:** Requirements for privately-owned rental dwellings subsidized by one of the various federal or state housing programs are identical to other rental weatherization requirements, except that the provisions on rental increases in these programs govern, rather than the standard weatherization agreement rent provisions. **Publicly-owned subsidized housing, single family, multifamily, or developments must receive prior approval from EOHLC.**

Though EOHLC does not prohibit Subgrantees from weatherizing units in which heat and utilities are included in the rent, there is recognition that the primary benefits from weatherization services must accrue to the low-income tenant. In practice, the majority of rental units served in Massachusetts are small multifamily (2-6 units), and the tenants pay their own heating costs as well as are the direct beneficiaries of the weatherization services. While EOHLC encourages Subgrantees to solicit in-kind contributions from landlords in multi-

family buildings, contributions are not a requirement for the tenants of the building to receive weatherization services. EOHLC has also developed procedures for eligible occupants of Group Homes, Shelters, and Single Room Occupancy situations. EOHLC allows the weatherization of shelters and group homes in accordance with 440.22 (f). Prior approval from EOHLC is required in all cases.

The Massachusetts utilities have a very active, well-funded Low-Income Multi-Family Energy Efficiency Program (LIMF) administered on behalf of the WAP Network by the Low-Income Energy Affordability Network (LEAN) and Action for Boston Community Development (ABCD), the WAP Subgrantee in the Boston area. More information about that program is available here: <http://leanmultifamily.org/>

High priority ranked eligible households in small multi-family buildings that may not be eligible for services through the LIMF may receive services through the DOE WAP. These will typically be smaller townhouse type apartments or condominiums. If the unit is individually heated and located in a building with less than 25 units, the weatherization measures will be determined by the use of the NEAT audit on the eligible unit.

If a WAP Subgrantee proposes to use DOE WAP funds to weatherize a multi-family building (5 or more units) with a common heating system using DOE WAP funds, the Subgrantee must seek prior EOHLC approval, complete an energy audit using an approved DOE multi-family audit tool (MULTEA, TREAT, EA-QUIP, etc.), and develop a list of proposed measures and costs. EOHLC will evaluate the proposal to determine if the project is an appropriate investment of DOE funds based on proposed energy savings, benefits to eligible clients, availability of leveraged resources, and the impact on other potential eligible entities considering current production and funding limitations. If the project is determined to be a worthwhile investment, EOHLC will forward all information and a formal request to the Department of Energy's cognizant Project Officer for discussion and consideration prior to giving approval to the Subgrantee.

Small multi-family buildings will be served consistent with the following guidance found in the Massachusetts WAP Technical Manual and Policies and Procedures Manual:

GUIDELINES FOR THE WEATHERIZATION OF MULTI-FAMILY RENTAL BUILDINGS

Following is the procedure for weatherizing buildings with two (2) or more units.

A. Buildings where less than 50% of the dwelling units in a two (2) or four (4) unit building are eligible or less than 66% of the dwelling units in any three (3) or five (5) or more unit building are eligible

When less than 50% of the dwelling units in a two (2) or four (4) unit building are eligible for weatherization, or less than 66% of the dwelling units in any three (3) or five (5) or more unit building are eligible for weatherization, the following procedure is mandatory:

- The building's ineligible units cannot be weatherized using DOE WAP Funds.

Subgrantees are reminded that weatherization is designed to take place with a whole building as a system approach (10 CFR 440.22(b)). A single unit within a multi-unit building is not categorically excluded from receiving weatherization services.

B. Buildings where not less than 50% of the dwelling units in a two (2) or four (4) unit building are eligible or not less than 66% of the dwelling units in any three (3) or five (5) or more unit building are eligible

When 50% of the dwelling units in a two (2) or four (4) dwelling unit building or at least 66% of the dwelling units in any three (3) or five (5) or more unit building are eligible for weatherization the Subgrantee may elect either of the following procedures:

1. The Subgrantee may elect to weatherize the entire building including all eligible and ineligible units as well as all common areas. If the Subgrantee elects this option, the following procedure is mandatory:
 - The entire building must be weatherized consistent with the use of a DOE WAP approved energy audit or approved Priority List regardless of the location of the eligible dwelling units.
 - Allowable energy efficiency expenditures are limited to the maximum program allowance multiplied by the number of income eligible dwelling units in the building.
 - Health and Safety/Incidental Repair expenditures are limited to a maximum program allowance multiplied by the number of income eligible dwelling units in the building.
 - Total expenditures are limited to a total of the maximum program allowance multiplied by the number of eligible dwelling units in the building.
 - A Building Weatherization Report (BWR) must be submitted for each dwelling unit completed. Costs that can be directly attributed to that dwelling unit should be reported on that dwelling unit's BWR (i.e. costs associated with Air Sealing/General Heat Waste or Wall Insulation for that dwelling unit). Costs associated with common areas in the building can be charged off to the adjacent dwelling unit or divided among the dwelling units in such a manner that will ensure that the building receives maximum weatherization services.
Ineligible dwelling units must be identified in the appropriate category on the BWR.
- Subgrantees must ensure that the regulatory maximums for Energy Efficiency and Health and Safety/Incidental Repair are not exceeded on any individual BWR.

2. The Subgrantee may elect to weatherize only the eligible unit or units and common areas in the building. (This option should only be selected if available DOE WAP funding and/or leveraged funding is not sufficient to weatherize all units in the building). If the Subgrantee elects this option, the following procedure is mandatory:

- All applicable major air sealing/general heat waste, heating system, and wall insulation measures must be completed for the eligible unit(s).
- All common areas (hallways, attics, basements, etc.) regardless of their location, must be weatherized.
- The building's ineligible units cannot be weatherized using DOE WAP funds.
- Allowable expenditures are limited to those of the eligible unit or units and production credit will be granted for the eligible unit(s) only.

The guidelines for the weatherization of multi-family rental buildings apply only to buildings where a minimum of one (1) dwelling unit is occupied by a tenant. Privately owned condominiums and cooperatively owned buildings may not receive assistance under these guidelines (including provisions for weatherizing income ineligible units) unless one (1) or more units is occupied by a tenant. These privately owned units may receive assistance on an individual basis, based on the eligibility status of the owner.

C. Weatherization of Vacant Units

A vacant unit almost always must be considered an ineligible unit. Vacant units **cannot** be weatherized using HEAP Funds. The only case in which a vacant unit may be weatherized as an eligible unit is when the building is being rehabilitated under a local, state, or federally funded rehabilitation program in conjunction with CDWAP. Weatherizing these units requires EOHLC prior approval under the Special Projects guidance in all instances.

Subgrantees may not sign "Vacant Unit" agreements with building owners on the promise that the units will be occupied by eligible tenants outside of the CDWAP process.

D. Multi-Family Dwelling Client Prioritization Policy

EOHLC will waive the mandatory client priority requirements in those cases in which the weatherization of an entire building is possible, and at least one dwelling unit in that building is classified as a priority client. In these cases, the cost-effectiveness of the whole house approach will take precedence over the priority status of the remaining units in the building. This waiver does not apply to any income ineligible units in the building.

Describe the Deferral Process

There are circumstances when it is appropriate for a WAP agency to defer or provide no weatherization services to an otherwise eligible unit until an unsafe or potentially dangerous condition is remedied. The health and safety of clients, Subgrantee staff, and weatherization contractors is of the utmost primary concern. All personnel must maintain a high level of awareness concerning the potential hazards associated with the weatherization process in regards to situations that may involve health and safety concerns or other problematic issues due to certain building characteristics or occupant issues.

EOHLC utilizes both a "Temporary WAP Deferral of Services Notice" and a "WAP Deferral of Services Notice". The Massachusetts Health and Safety Guidance outlines many of the specific criteria that require a temporary deferral of services. EOHLC provides a "Temporary Deferral of Services Notice" to be signed by the local agency and client that outlines the reason for the deferral, as well as conditions that must be remedied before the work can commence, as long as the household is still eligible for fuel assistance in the current Program Year, and there is WAP funding still available. Some of the typical reasons for a temporary deferral include, but are not limited to: structural condition of the building, existence of any number of health and safety concerns, (i.e. excessive mold, sewerage, animal waste, pest infestations, etc.), and illegal activities being conducted on the premises. A copy of the Temporary Deferral of Services Notice is provided to the client, maintained in the Subgrantee client file, and provided

to EOHLC. EOHLC provides a "Deferral of Services Notice" to be signed by the local agency and provided to the client that outlines the potential reasons necessitating a "permanent deferral of services". A copy of the Deferral of Services Notice is provided to the client, maintained in the Subgrantee client file, and provided to EOHLC.

The temporary deferral policy does not mean that assistance is never to be provided, but "that services must be postponed until the problem(s) can be resolved and/or other sources of help are found." EOHLC encourages Subgrantees to refer clients with health and safety concerns to appropriate resources and available services, and do their best to ensure that problems are resolved so that the weatherization work can eventually be performed. HEAP, CSBG, and WAP Subgrantees within the Community Action Programs network in Massachusetts developed a shared Benefits Enrollment Coordination (BEC) database that provides staff with access to information about a variety of available housing and health related programs that expand their capacity to locate help for client deferral issues.

When problems of a unique nature exist that are not specifically identified in the Health and Safety Guidance, EOHLC ECU staff must be consulted by Subgrantees before deciding whether or not to proceed with weatherization services.

A WAP client who is deferred in any capacity may request an appeal of the deferral. The appeals process is generally as follows: The appeals process requires a client initially appeal to the Subgrantee agency and offers the opportunity to further appeal to EOHLC if the client is not satisfied with the decision issued by the Subgrantee agency. Appeals must be made to the Subgrantee agency within twenty (20) working days of the date of any notice of program services deferral. Within twenty (20) working days of receiving an appeal request, the Subgrantee agency must generally: Schedule a Hearing if a Hearing has been requested by the client or has been deemed necessary by the Subgrantee agency, and send a notice to the client establishing the date, time, and location of the Hearing. Within ten (10) working days of the Hearing, the Subgrantee agency shall: 1. Reach a decision on the case; and 2. Notify the applicant of the final decision in writing, along with notice of the applicant's right to and procedures for appeal to EOHLC. In all other cases where a Hearing does not occur, the Subgrantee agency must: 1. Review and reconsider the client's deferral status; 2. Reach a decision on the case; and 3. Notify the client of the final decision in writing, along with notice of the client's right to and procedures for further appeal to EOHLC. Subgrantee agency appeals are accepted throughout the Program Year. Appeals to EOHLC of Subgrantee agency decisions will be handled throughout the Program Year by the EOHLC's ECU. Clients must appeal in writing to the EOHLC within twenty (20) working days of the date of the final Subgrantee agency decision that includes the notice of appeal rights. All client files and information pertinent to the appeal will be reviewed, and the client and the Subgrantee agency will be notified of the decision in writing within twenty (20) working days of receipt of the complete client file.

The EOHLC requires all WAP clients to be notified of their right to appeal specific Subgrantee agency decisions in the Weatherization Assistance Program. Written notification of these rights must be given: 1. When the applicant first applies for assistance; 2. When a Subgrantee agency provides a client with a Deferral of Services Notice; and 3. When a Subgrantee agency issues a final decision of denial on an appeal.

Weatherization Readiness Funds (WRF)

WAP READINESS FUNDS OVERVIEW:

DOE WAP Readiness Funds (WRF) are funds specifically provided to Subgrantee agencies to reduce the frequency of deferred dwelling units. Such dwelling units typically require services outside the scope of weatherization before the typical weatherization services can commence. Units receiving WRF must result in a DOE completion defined as: "A dwelling unit on which a DOE-approved energy audit or priority list has been applied and weatherization work has been completed."

WRF are only provided as part of the annual WAP grant, but WRF may be used on either a WAP-funded or WAP-BIL-funded dwelling unit. In addition, WRF funds may be spent in a WAP Program Year that is different from the Program Year when WAP services are provided to the dwelling unit, as long as both the WRF and WAP services are provided within the same DOE multi-year grant period. If WRF funds are utilized on a dwelling unit, weatherization services must be provided within ninety (90) days of the completion of the Readiness remediation work. The use of WRF shall only be used at client dwelling units where the reason for deferral will fully be remediated and results in a completed DOE weatherized dwelling unit. Use of WRF at a dwelling unit that does not end up being weatherized and reported as a DOE completed dwelling unit will result in disallowed costs.

A Subgrantee must have an executed contract in place with a licensed and insured contractor performing remediation services on behalf of the Subgrantee (similar to any weatherization contractor currently performing services for the Subgrantee).

WAP READINESS FUNDS USAGE:

Through this WRF set-aside allocation, WAP can now address necessary structural and Health & Safety repairs in dwellings that have historically been deferred from receiving weatherization services. Some issues that may be able to be addressed with WRF include, but are not limited to:

- Roof repair / replacement
- Mold / moisture mitigation
- Electrical issues
- Plumbing / sewerage issues
- Structural issues
- Vermiculite remediation
- Asbestos remediation
- Integrated pest management
- De-cluttering management

Use of WRF will have a suggested cost maximum of \$15,000 per dwelling unit, although a dwelling unit may exceed this on a case-by-case basis if approved by the EOHLC ECU Technical Coordinator. If a dwelling unit exceeds \$15,000 in WRF funds on a given dwelling unit, the WRF average cost per unit for that Subgrantee for the Program Year may not exceed \$15,000. EOHLC encourages each Subgrantee to strategically utilize these limited funds to serve the most number of deferred clients. WRF shall not be used to address energy efficiency measures

that are typically not allowed as part of weatherization as contained in 10 CFR 440 Appendix A, and cost-justified through use of an approved energy audit or priority list.

WAP READINESS FUNDS PRIORITIES:

Clients will be prioritized based on the current client priority criteria with “high energy burden” and “elderly” clients receiving the highest priority, followed by “disabled”, “children 7 and under”, and “high energy user” in the 2nd tier, and then “children between age 8-17” in the third tier. Once it has been determined that there are no further priority clients in need of WRF, agencies may use WRF on all other income eligible WAP clients at risk of being deferred. If there is a tie amongst clients, agencies should select the client who has been on the deferred list the longest. If there are any extenuating circumstances, agencies are encouraged to consult first with EOHLC ECU staff.

Agencies may re-visit their existing WAP client deferral list and determine which clients from previous Program Years (if they are still HEAP eligible in the current Program Year) should be contacted first based on established program priority criteria. Should an agency not have an existing WAP client deferral list, or exhaust all options with their existing WAP client deferral list, the agency shall address deferrals as they may arise during the current Program Year.

WAP READINESS FUNDS TRACKING, REPORTING, AND MONITORING:

Agencies must track and report each dwelling unit that receives weatherization services provided with WRF. Agencies must report the following required DOE reporting data points to the EOHLC ECU:

- Year the dwelling unit was built
- Housing type (i.e. site built single-family, mobile, multi-family, etc.)
- Nature of repair(s) needed (i.e. leaking roof, asbestos, electrical, plumbing, mold/moisture, vermiculite, unsanitary conditions, clutter, client issues, other). *List all remediated measures within a single dwelling unit*
- DOE WRF expenditure per annual formula dwelling unit and building
- DOE WRF expenditure per BIL formula dwelling unit and building
- Leveraged remediation funds expenditure per dwelling unit and building

EOHLC Technical Field Monitors will monitor twenty percent (20%) of all WRF dwelling units serviced in a given Program Year.

V.1.3 Definition of Children

In Program Year 2022, the definition of children was expanded from age seven (7) and under to age seventeen (17) and under with priority status broken out into two (2) tiers:

Tier 1: age seven (7) and under

Tier 2: age eight (8) to seventeen (17)

V.1.4 Approach to Tribal Organizations

Recommend tribal organization(s) be treated as local applicant?

If YES, Recommendation. If NO, Statement that assistance to low-income tribe members and other low-income persons is equal.

EOHLC recommends that a Tribal Organization not be treated as a local applicant eligible to submit an application pursuant to 10 CFR 440.12 (b)(5). Assistance to low-income tribal members is equivalent to the assistance provided to other low-income persons in Massachusetts.

V.2 Selection of Areas to Be Served

Factors used in determining the service delivery network included:

- (i) The Subgrantee's experience and performance in weatherization or housing renovation activities;
- (ii) The Subgrantee's experience in assisting low-income persons in the area to be served; and
- (iii) The Subgrantee's capacity to undertake a timely and effective weatherization program.

(15) of the WAP Subgrantees in Massachusetts are Community Action Agencies and one (1) is a non-profit housing agency; all current Subgrantees have administered successful weatherization programs and utility-funded energy efficiency programs for many years. Through ongoing monitoring as well as training and technical assistance, EOHLC continues to ensure that all Subgrantees maintain administrative, programmatic, and technical staff capable of operating a successful program and continue to stay current with WAP Best Practices.

All areas of the state are served by the Massachusetts Subgrantees. Each WAP Subgrantee has a specified service territory based on Massachusetts incorporated cities and towns. The cities and towns of each service territory are listed as an Exhibit in the Attachment A of the Subgrantee's Contract for Services with EOHLC.

V.3 Priorities for Service Delivery

EOHLC has designated a high percentage of its production quota to weatherizing the units of income-challenged elderly, disabled, households with young children seventeen (17) years of age or under, high energy users, and households with a high energy burden. EOHLC has set Subgrantee contractual goals for providing service to priority households. The minimum goal for priority households is as follows:

- Elderly household member / twenty percent (20%)
- Households with children seven (7) years of age and under / fifteen percent (15%)
- Households with children between age eight (8) and seventeen (17) years of age / 10 percent (10%)

- Disabled household member / ten percent (10%)
- Households with a high energy burden / ten percent (10%)
- Households with high energy usage / five percent (5%)

EOHLC has implemented a mandatory statewide client priority system that gives priority to elderly, disabled, households with children seventeen (17) years of age or under, high energy users, and households with a high energy burden identified through the HEAP High Energy Cost Supplement Program, which identifies those HEAP clients experiencing a high-energy burden. Actual client fuel use information provided by this program allows the WAP agency to identify high-energy users and households with a high energy burden, and target those users for additional weatherization priority points. HEAP operators are required to provide WAP operators with a priority ranked ordering of eligible clients based on the following priorities and corresponding points:

Elderly - 3 points
 High Energy Burden – 3 points
 High Energy Use - 2 points
 Disabled - 2 points
 Children age 7 and under- 2 points
 Children between age 8 and 17 – 1 point

Those applicants with the highest overall point total will receive priority service first. Subgrantees must document their outreach process to high priority households. EOHLC allows Subgrantees to set-aside up to twenty-five percent (25%) of their annual production for the weatherization of "hardship" households. These households may be weatherized outside of the established priority system criteria, provided that documentation of the hardship is included within the client file. Allowable "hardships" might include, but not be limited to:

- An excessive energy burden and/or consumption not previously identified by HEAP.
- A condition that endangers the health and safety of the eligible low-income household.

Subgrantees are also permitted to provide services to income-eligible low priority households in small (2-4 unit) multi-family buildings if other units in that building are occupied by high priority clients. In many instances, this enables a Subgrantee to weatherize an entire building using a combination of DOE WAP and leveraged utility funds.

V.4 Climatic Conditions

According to the IECC climate zone map, all of Massachusetts is within climate zone 5. With the exception of parts of Western Massachusetts and Cape Cod, all areas are within a reasonable range of Heating Degree Day requirements according to the NOAA National Weather Service data. For the purposes of the WAP, EOHLC is regarding the entire state as having a uniform climate. EOHLC believes these variations are not large enough to warrant a revision in the allocation formula. However, Subgrantees may use local climate conditions to determine the SIR of weatherization measures based on an appropriate Degree Day requirement for their area.

V.5. Type of Weatherization Work to Be Done

V.5.1 Technical Guides and Materials

The primary technical guidance for the WAP is the NREL/DOE Standard Work Specifications (SWS) and the Massachusetts Weatherization Field Guide which is linked to the SWS. The Weatherization Field Guide is available to WAP Subgrantee program staff, Energy Auditors, Inspectors, and contractors working with local Subgrantees. It is available as an online manual and a .pdf file with embedded hyperlinks to the DOE/NREL SWS. Added in the 2021 version of the Field Guide are embedded videos that field workers can view from any type of electronic device. The link to the Field Guide was emailed to all WAP Subgrantee staff and the Field Guide is posted on EOHLC's website. The Massachusetts Weatherization Field Guide may be found at the following weblink: [Massachusetts Weatherization Field Guide, 2025 Edition \(mass.gov\)](https://www.mass.gov/info-details/massachusetts-weatherization-field-guide-2025-edition) and has been distributed as a spiral bound printed manual that include references to the appropriate SWS for the measures described. The printed manuals were distributed to WAP Subgrantees by EOHLC for distribution to their staff and WAP contractors. The electronic version of the Weatherization Field Guide has been revised to update several sections, as well as combustion safety testing to comply with the BPI 1200 Standard that was adopted by DOE in the Standard Work Specifications.

Most Massachusetts WAP Subgrantees have moved to a tablet-based energy audit data collection format and the Weatherization Field Guide with links to the SWS is installed on the tablets.

EOHLC includes in the DOE WAP Attachment A Scope of Services to the contract between the WAP Subgrantee and EOHLC that the WAP Subgrantee acknowledges the requirements of the SWS and the Massachusetts Field Guide, a DOE approved energy audit (consistent with 10 CFR 440.21), 10 CFR 440 Appendix A, and other related technical guidance issued by the Grantee. WAP Subgrantee Contract for Services with weatherization contractors must also include an acknowledgment of the receipt of the Massachusetts Field Guide and SWS, and that the Contractor agrees to work to those standards as outlined in WPN 22-4, Section 1.

Additional Program information

During the FY 2025, WAP Subgrantees may spend up to \$15,000 on any individual eligible dwelling unit in cost-effective Program Operations, including incidental repairs and health and safety funds (excluding Subgrantee Program Support funds). Subgrantee Program Operations average expenditure per unit is budgeted at \$7,000, plus an additional average \$1,200 for health and safety measures. EOHLC has established an incidental repair maximum per unit of \$2,500. Based on costs reported in previous grant periods, EOHLC expects that this maximum expenditure will be rare and used only when there are extensive, unusual needs in the dwelling.

Subgrantees in Massachusetts have a substantial amount of utility funding available for energy efficiency improvements. The amount of utility funding far exceeds the amount of DOE WAP funds. Each single-family unit weatherized with utility efficiency program funds can receive up to \$9,000 for building shell efficiency measures, and 2-4 unit buildings can receive up to \$6,500. Dwelling units can receive \$6,500 for heating system replacements (\$8,250 with an indirect domestic hot water tank), and additional funds for electric base load measures (primarily refrigerators and lighting improvements). Major repairs are capped at \$10,000 per

dwelling unit, and air-source heat pumps are capped at \$25,000. Anything above these amounts requires a waiver to be submitted and approved by the utility's Lead Agency. The utility funding may be used independently or in conjunction with DOE WAP funds.

The following is a general list of the utility-funded weatherization work to be done in an eligible unit:

- a) Blower door guided air sealing of major by-passes, key junctions, and sealing ductwork supplies;
- b) Replace the primary heating system. All heating system work will be completed using a combinations of alternative funding from a HEAP funded heating system repair and replacement program (HEARTWAP) administered by EOHLC and operated locally by Subgrantees, as well as utility funding;
- c) Insulate attic (after completing comprehensive blower door directed air sealing), sidewalls (dense pack), perimeter, floor, and ductwork or hydronic heating pipes to appropriate R-values as determined by the SWS and IECC;
- d) Install energy efficient lighting and other cost effective electric base-load measures.

Heating System Improvements

EOHLC continues to emphasize the upgrading of heating systems as an integral part of the weatherization process as well as making a home safer and more energy efficient. While heating system improvements will remain as a priority measure within the NEAT generated WAP priority system, DOE funds are to be used primarily for building shell measures because of the availability of alternative funding specifically designated for heating system work. WAP Subgrantees administer a closely coordinated HEAP-funded Conservation Set-Aside program, HEARTWAP, for heating system repairs, replacements, and maintenance. Subgrantees must access the HEARTWAP program and utility funds for necessary heating system work prior to considering the use of DOE funds.

In the rare instance when heating system work is performed with DOE WAP funds, Subgrantees must charge work to the Program Operations, Incidental Repair, or Health and Safety categories and comply with the following protocol: All costs associated with heating system measures using DOE WAP funds must be itemized and reported on the Building Weatherization Report (BWR). All work must be completed consistent with the requirements of Section 5.3 of the SWS. Subgrantees must ensure that they do not exceed the maximum allowable expenditure for the unit. Heating system work performed with WAP funds must be closely coordinated with HEARTWAP and utility programs to ensure that clients do not receive redundant assistance from alternative funding sources. Heating system replacements and asbestos abatement should be performed with HEARTWAP funds, unless otherwise authorized by EOHLC staff. Heating system replacements performed with WAP funds must receive prior EOHLC approval utilizing the replacement request policy in the HEARTWAP Guidance. When DOE WAP funds are used to replace a heating system, the expenditure must be reported as a health and safety measure or meet the SIR of 1 or greater requirement using a DOE approved energy audit. Subgrantees must utilize WAP, HEARTWAP, and utility funds in such a manner that will ensure that the greatest number of income-challenged clients will receive weatherization and heating system assistance. Subgrantees must also ensure that they provide a cost-effective retrofit package consisting of building shell measures (air sealing, insulation, and required health and safety measures) and heating system services to all dwelling units, which receive DOE WAP assistance. EOHLC strongly encourages Subgrantees to leverage landlord contributions, utility funds, and any other source of supplemental funding to ensure that each dwelling unit weatherized receives a comprehensive package of energy efficiency measures.

In addition to the requirements of Section 5.3 of the SWS, the technical, administrative, and programmatic standards and requirements regarding heating system measures which are mandated in the "HEARTWAP Program Guidance" are applicable to WAP funded heating system work. In instances where there may be a conflict between the HEARTWAP Program Guidance and the provisions of the SWS, the protocols required in the SWS are required if DOE WAP funding is used.

Incidental Repairs

Major building rehabilitation is beyond the scope of the Weatherization Assistance Program and not the intention of the program. WAP Energy Auditors, however, often encounter dwellings in poor structural condition. Dwellings whose structural integrity is in question must be referred to a home rehabilitation related program wherever available. Weatherization services may need to be deferred using the Deferral of Services Notice until the dwelling can be made safe for Auditors, Inspectors, contractor's crews, and occupants. Only incidental repairs necessary for the effective performance or preservation of weatherization installations are allowed. Major repairs are considered those with costs exceeding \$500. Examples of major repairs may include, but not be limited to: repairing roof leaks, repairing areas of unsafe wiring, and replacing sections of knob and tube wiring to allow for the installation of insulation in attics and sidewalls. Other minor repairs under \$500 may include, but not be limited to: cutting and finishing accesses to attics and knee wall areas, repairs to siding, minor repairs to windows and doors, flashing, and masonry repairs.

WAP Subgrantees are able to provide repairs up to \$2,500 per unit inclusive of labor and material. The typical cost of repairs in a unit will be significantly less. Given the poor condition of some the housing stock and the limitations that this condition places on the amount of weatherization a unit can receive, EOHLC is providing the relatively high maximum allowable cost for repairs to enable Subgrantees to provide weatherization benefits *to those few units in the most need and where significant investments from alternative sources for energy efficiency work (utility funds) can only be completed if repairs are completed*. EOHLC encourages Subgrantees to identify and access alternative funding sources for those units needing extensive repairs. **Of the 207 FY 2024 total reported jobs to date, the average cost per unit for incidental repairs was approximately \$175 (79 units had no incidental repairs reported) while sixty-four (64) units had incidental repairs of \$1,500 or greater and thirty (30) units of \$2,000 or greater (Note the 64 units includes the 30 units over 2000).**

Incidental repairs are allowable to the extent that they are necessary for the effective performance or preservation of an eligible weatherization measure. In addition, consistent with DOE WAP Program Notice 12-09, the cost of incidental repairs must be included in the overall SIR of 1 or greater for the package of weatherization measures for DOE funded work. In all cases, the WAP client file must provide clear documentation of the need for the repairs and the allowable energy conservation measures that are enhanced or protected directly related to the repair. Documentation must include pictures and/or concise descriptions of the repairs needed and invoiced by the installing contractor.

Asbestos Abatement

General asbestos abatement is not an allowable health and safety cost in the DOE WAP, although Readiness funds may be used, if available, to remediate asbestos. In those rare instances when regular DOE WAP funds may be necessary for the abatement of asbestos,

removal is allowed only to the extent that energy savings resulting from the measure will provide a cost-effective savings-to-investment ratio including the cost of abatement. Where permitted by code or EPA regulations, less costly measures that fall short of asbestos removal, such as encapsulation, may be used. Insulating homes with asbestos cement shingle sidewalls may be completed in accordance with the guidance issued by the Massachusetts Department of Environmental Protection (MA. DEP). Dwelling units at which vermiculite insulation has been identified are automatically deferred per EOHLC ECU policy instituted in Program Year 2017, and Readiness funds may be used, if available, to remediate vermiculite.

NEPA Determination and Historic Preservation

Massachusetts EOHLC ensures that all weatherization activities are allowable through its monitoring efforts. Activities which are not included in the list of “allowable activities” in the NEPA determination are excluded. Massachusetts EOHLC also has a Historic Preservation Programmatic Agreement in place. As such, Massachusetts EOHLC will adhere to the restrictions of the executed Programmatic Agreement.

V.5.2 Energy Audit Procedures

Audit Procedures and Dates Most Recently Approved by DOE

Single-Family	National Energy Audit Tool (NEAT) approved June 8, 2020.
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Manufactured Housing	Manufactured Home Energy Audit (MHEA) approved June 8, 2020.
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Multi-Family	No approved small multi-family energy audit. No approved large multi-family energy audit.
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(EOHLC received conditional approval from DOE of the NEAT and MHEA energy audit packages on June 8, 2020.)

Multi-family (5 or more units):

Because of the large amount of utility funding available to the WAP Network in Massachusetts, and the ability to treat the whole building and leverage significant resources, DOE funds will be used in very few, if any, larger multi-family buildings. If and when DOE funds are used, the work will be based on the use of a DOE-approved energy audit for multi-family buildings. If a large multi-family building is weatherized with DOE funds, EOHLC will be sure to bring this to DOE’s attention so approval can be given prior to work commencing.

EOHLC recognizes the importance of DOE’s energy audit requirements and will continue to train WAP Subgrantee staff on the use of NEAT and MHEA.

When the web-based / online version of NEAT and MHEA is released by DOE/ORNL, EOHLC plans to work with our software vendor to integrate it into the WAP Management and Reporting

software used by WAP Subgrantees. The Massachusetts software currently allows Subgrantees to populate information directly from the client's HEAP applications, has a variety of WAP forms built in, can upload energy inspection/audit information from tablets used by Energy Auditors, generate work order forms, quality control forms, and report detailed required expenditure and demographic information to EOHLC. The integration of NEAT with minimal additional data entry would be a significant enhancement to the DOE WAP operations in Massachusetts.

V.5.3 Final Inspection

During the past Program Year, EOHLC continued the training and certification process for Quality Control Inspectors consistent with the DOE Quality Work Plan requirements.

As of the date of the submission of the State Plan application, Massachusetts has approximately thirty-two (32) individuals that have been certified through the Home Energy Professional (HEP) Quality Control Inspector (QCI) process. Approximately, another fifteen (15) individuals are currently pursuing QCI certification. We have an additional three (3) individuals that are QCI certified that are able to perform QCI's for Subgrantee agencies as a 3rd party.

Each WAP Subgrantee strives to have at least one (1) certified QCI inspector; several have two (2) or more. As Energy Auditors continue to be hired by agencies, they will be encouraged to work towards becoming QCI certified once they reach the required hours of experience.

EOHLC will consider utilizing the QCI Mentorship Option referenced in WPN 22-4. When EOHLC does decide to implement this option, it will be on a case-by-case basis and shared with the DOE Project Officer for prior approval before proceeding. Any Mentee will be an employee of a Subgrantee who is pursuing her/his QCI certification. A Mentor will be an employee of the same Subgrantee agency who is currently QCI certified in good standing who will review field inspections and provided on-the-job training to the Mentee. The Mentee should work to obtain her/his QCI certification within twelve (12) months. All work performed by the Mentee will be reviewed and attested by the certified QCI which includes the printed names, signatures, certification number (for the Mentor) and dated by both the Mentor and the Mentee.

Massachusetts will continue to use the resources of the IREC accredited training center, the Green Jobs Academy (a subsidiary of a Massachusetts WAP Subgrantee), to complete the QCI training provided a sufficient number of candidates are available to complete the week-long training. Training will typically be scheduled quarterly. If new staff or a current Energy Auditor is seeking certification and the GJA is unable to assemble a class of 4-5 trainees, the Subgrantee staff will be encouraged to schedule training with the New York State Weatherization Director's Association (NYSWDA) training center or another approved training center. QCI training and certification at any authorized center is an allowable T&TA expense.

All WAP Subgrantees must have a standardized quality control procedure based on the criteria of the HEP QCI requirements to assess that the initial energy audit is in compliance with a DOE approved energy audit as well as with energy audit procedures required by 10 CFR 440.21, with 10 CFR 440 Appendix A and the DOE Standard Work Specifications (SWS). The procedure must assess the quality of the weatherization or mechanical work performed by the private sector contractors, and compliance with the SWS and the Massachusetts Weatherization Field Guide. All final inspections must be completed by an individual certified under the HES QCI

protocol. The final inspection must be signed and dated by the certified QCI Inspector prior to the unit's submission to EOHLC. The final inspection must assess the energy audit or priority list that confirms the accuracy of the field site data collection, energy audit software inputs, and that measures called for on the work order were appropriate and in accordance with Massachusetts EOHLC's energy audit procedures and protocols approved by DOE.

The Weatherization Field Guide linked to the Standard Work Specifications has been provided to WAP Subgrantee program staff, Energy Auditors, Inspectors, and contractors working with local Subgrantees as an online manual and as a .pdf file with embedded hyperlinks to the DOE/NREL SWS. The link to the Weatherization Field Guide was emailed to all WAP Subgrantee staff. The Massachusetts Weatherization Field Guide is also available, and has been distributed, as a spiral bound printed manual that includes references to the appropriate SWS for the measures described. The printed guides were distributed to WAP Subgrantees by mail and hand-delivered by EOHLC for distribution to their staff and WAP contractors.

To ensure that all inspections are aligned with the SWS, EOHLC and the WAP Subgrantee network worked with the Green Jobs Academy (GJA) to develop a standard quality control form that is used statewide. The process is designed to enhance the function of the QC form in the WAP software package currently used by Subgrantees to create an SWS linked form that is specific to the measures completed on the dwelling unit. It includes the required documentation for health and safety testing, combustion safety testing, ASHRAE compliance, confirmation that the original energy audit and installed measures were appropriate for the dwelling unit, and a required sign-off by the Inspector. The form is available as a printed hard copy as well as a digital version for use on tablets.

To ensure that Subgrantees understand that all work completed using DOE WAP funds is in compliance with DOE WAP requirements, EOHLC includes in the DOE WAP Attachment A Scope of Services to the contract between the WAP Subgrantee and EOHLC that the WAP Subgrantee acknowledges the requirements of the SWS and the Massachusetts Field Guide, a DOE approved energy audit, (consistent with 10 CFR 440.21), 10 CFR 440 Appendix A, and other related technical guidance issued by the Grantee. WAP Subgrantee Contract for Services with weatherization contractors must also include an acknowledgment of the receipt of the Massachusetts Field Guide and SWS, and that the Contractor agrees to work to those standards as outlined in WPN 22-4, Section 1.

Final quality control inspections must incorporate all required health and safety testing including combustion efficiency, CO testing of all combustion appliances, CAZ testing of all vented combustion appliances, and confirmation of ASHRAE 62.2-2016 compliance. Subgrantee contracts with EOHLC require this quality control procedure, and part of every client file review includes verification that a quality control inspection was completed by a certified Quality Control Inspector and fully documented. The Building Weatherization Report (BWR) submitted monthly for completed dwelling units includes a certification from the Quality Control Inspector that the unit and final inspection was completed consistent with DOE WAP standards.

In addition to the required final inspection, Massachusetts WAP Subgrantees are contractually required to complete and document in-process inspections while the WAP contractor is on-site at a minimum of fifty percent (50%) of the dwelling units. Many Subgrantees do in-process inspections on all jobs to check on progress, discuss any issues and inspect attic air sealing work. WAP contractors are also required to provide photographic documentation of any air sealing work in an attic area that has insulation added before an agency staff member is able to visually inspect the work.

EOHLC will follow DOE's WPN 24-4 "Independent Energy Auditor/QCI" model that permits an independent Energy Auditor/Quality Control Inspector. This provision allows Subgrantee staff to complete both the energy audit and quality control inspection of a dwelling unit provided that the Inspector is QCI Certified. In all cases, the individual will not be part of the crew that completes the installation. Some Subgrantees with a small technical staff will only have a single QCI certified individual and the need for staff productivity in those Subgrantee areas is an important consideration. EOHLC will focus additional monitoring efforts on those units. EOHLC QCI certified staff will complete a full QCI inspection on no less than ten percent (10%) of the dwelling units completed by a Subgrantee with an emphasis on those dwelling units where the QCI Inspector was also the initial Energy Auditor.

If during the course of monitoring visits, EOHLC determines that a certified Quality Control Inspector is not completing final inspections consistent with all DOE WAP requirements, EOHLC will generally implement a course of corrective action that may include the following steps:

- 1) EOHLC will first work with the individual to determine if additional training is needed and identify the problem areas.
- 2) Specific areas of needed training will be determined and training opportunities for those areas will be identified and required. As an example, if the Quality Control Inspector is not completing a CAZ test consistent with DOE WAP requirements, EOHLC will require the individual to attend and successfully pass the 4-hour Combustion Safety Training provided by the Green Jobs Academy.
- 3) EOHLC will also identify additional inspections completed by the Inspector and monitor those units.
- 4) If additional issues are identified, that person will be prohibited from completing quality control inspections until EOHLC determines, based on additional training, that he/she can and will complete the inspections consistent with QCI requirements.
- 5) If additional training does not adequately address the need in the judgment of EOHLC staff, the individual will be prohibited from completing quality control inspections on DOE WAP units.
- 6) EOHLC also will initiate the process of de-certification consistent with BPI protocols.

The Grantee **Weatherization Field Report** monitoring form is attached to the State Plan.

V.6 Weatherization Analysis of Effectiveness

Subgrantee Effectiveness

The primary mechanism that EOHLC utilizes to ensure the effective implementation of the DOE WAP is through consistent and regular monitoring as described in Section V.7.3.

Generally, EOHLC reviews and tracks Subgrantee dwelling unit production and expenditures on a monthly basis to determine that they are on track to meet production and expenditure goals. Through data analysis and desktop monitoring (BWR reviews, statistical frequency of WAP measures completed, and pre and post blower door readings) as well as monthly on-site and field visits, EOHLC works with Subgrantees to ensure that WAP measures are completed consistent with a DOE approved energy audit, as well as with energy audit procedures required by 10 CFR 440.21, 10 CFR 440 Appendix A, and the DOE Standard Work Specifications (SWS). EOHLC staff compare measures completed, as well as blower door information, to identify Subgrantees that are consistently completing the most cost-effective measures (and saving the most energy) and those that are not achieving these parameters. EOHLC uses the data to

identify potential training needs or Subgrantees that may need additional monitoring. EOHLC may recommend peer-to-peer exchanges to assist lower performing Subgrantees.

If a Subgrantee is falling behind its production schedule or EOHLC observes a pattern of unusual costs, EOHLC will typically contact the Subgrantee's Energy Director to review the information to determine if there are problems which warrant development of an appropriate corrective action plan. In the case of production issues, the Subgrantee will be required to provide EOHLC with a detailed planned production schedule, any measures they are taking to ensure that production and expenditure goals are achieved, and report to EOHLC on a weekly basis through an email report on the number of completed dwelling units, dwelling units issued to weatherization contractors, and dwelling units audited/inspected. EOHLC may verify the information during the next scheduled site visit. If there are cost or appropriate measure installation concerns, EOHLC will first discuss the concerns and focus monitoring efforts as needed.

How Comparisons are used to identify training and technical assistance needs

EOHLC compares the production numbers (as a percentage of the overall goal) and uses data analysis of the measures completed and blower door pre and post test results on DOE WAP dwelling units of the Subgrantees to identify areas that may need additional monitoring or technical assistance to ensure that Subgrantees are in compliance with program requirements. Data analysis of measures completed, as well as associated costs and effectiveness of the work, help direct T&TA activities towards areas of greatest need. As an example, relatively high air sealing costs on dwelling units that showed a less than expected CFM@50 reduction will be used to identify those dwelling units for monitoring inspections, as well as potential training on targeted air sealing and zonal pressure diagnostics for the WAP Inspector and the contractor that completed the work.

While EOHLC has not conducted a detailed evaluation of cost-effectiveness, the State believes the WAP in Massachusetts to be highly cost-effective because it limits the use of DOE funds to only those measures that have proven to be cost-effective by a DOE Approved Energy Audit (NEAT/MHEA) and DOE National Evaluation results. Plus, it maintains high work quality standards while following Best Practices in the energy efficiency industry.

The type of work completed does not vary significantly from Subgrantee to Subgrantee. Most dwellings typically receive targeted air sealing in attics and basements/crawlspaces (including ductwork), attic insulation for dwellings with lower levels of existing insulation, and dense-pack sidewall insulation. All work is coordinated with available utility funds. Required heating system improvements are referred to the HEAP-funded HEARTWAP.

In addition, energy savings evaluations done by the Massachusetts gas and electric utilities, completing similar measures in their low-income residential programs, confirm that the programs are cost-effective.

Incorporating Training Capability Assessment and Monitoring Feedback

Most training sessions incorporate an evaluation of the training by the participants. EOHLC and individuals involved in the training activities review the evaluations and use the information to improve presentations and adapt training to the needs of the participants.

The many methods that EOHLC uses to evaluate local agency effectiveness in program delivery are intended to identify potential weaknesses so as to target our continued effort at improving the technical capabilities of local agency staff and contractors while assuring high quality work. These are outlined in the narratives of the V.4.3 Final Inspection, V.7.3 Monitoring Activities, and V.7.4 Training and Technical Assistance sections of the State Plan.

Generally, EOHLC completes field visits to WAP Subgrantees every 4-6 weeks and will complete full quality control inspections on dwelling units during each visit. If there are call-backs as a result of the visit, Subgrantees must make the required corrections and notify EOHLC when the work has been completed and inspected. Each field visit also includes a review of a selection of client files. Each site visit and file review incorporates an evaluation of the quality of the program administration, file structure, energy audit/inspection procedure, job orders, and quality control inspections. EOHLC Energy Conservation Unit (ECU) staff meet weekly at EOHLC to discuss the results and any findings or problems from the site visits, as well as any other issues concerning Subgrantee management, Energy Auditor/Inspectors, and weatherization contractors. As a group, The Energy Conservation Unit discusses the strengths and weaknesses of the Subgrantee management and individual members of the Subgrantee technical staff, as well as contractors. The discussion aids in identifying and planning additional training and peer to peer opportunities. The ECU looks for consistent good quality, and when it is necessary, improvement in all functions of the program. For example, if during a site visit, EOHLC observes an Energy Auditor or Inspector's questionable decisions regarding the weatherization work specified, or the work quality of a weatherization contractor, ECU staff will review and discuss previous experiences with the Subgrantee Energy Auditor and the supervision of the Program Coordinator who oversees the work. ECU staff will review EOHLC data to determine what type of training and certification they process. ECU staff will use the information to identify training needs which may be conducted one-on-one with a Technical Field Representative, peer-to-peer with another local agency Energy Auditor, or a training center course. Follow-up visits will be scheduled to determine if there has been improvement or additional training is needed.

Similarly, if EOHLC observes work by a private-sector weatherization contractor that is not up to program installation or quality standards, ECU staff will generally review and discuss past reports and previous experiences at all Subgrantees where the contractor works. The ECU discusses our concerns with all Subgrantees that use the contractor. EOHLC will set up additional monitoring visits and target the work of that contractor. Any work that requires correction will be completed by the contractor at no cost to the program. If it is determined that additional training is needed for the contractor and its crew, EOHLC and the Subgrantee(s) will identify an appropriate format (i.e. on-site with trainer, Technical Field Rep, Subgrantee Energy Auditor, or training center combination of classroom/hands-on lab). No additional DOE-funded work will be awarded to the contractor until they demonstrate to EOHLC the ability to complete installations consistent with program standards. All call-backs are tracked by the Subgrantee. Subgrantees are required to provide documentation on all call-backs.

Continuous Improvement in the Program

As outlined in the previous section, EOHLC consistently monitors Subgrantee activities and discusses opportunities and methods to improve the technical, programmatic, and administrative functions within the program. When issues are discovered during monitoring visits, the ECU endeavors to work as a team to determine the most appropriate response

whether that is additional monitoring, technical assistance, or training. When appropriate, monitoring is increased and will include a full administrative/programmatic monitoring focused on the area of concern.

In Massachusetts, the utility funding available to income eligible families for energy efficiency programs far exceeds the DOE WAP funding. The Massachusetts utilities contract directly with a "Lead Agency" which may then subcontract with WAP Subgrantees in multiple service areas. As a member, EOHLC partners with the Low-Income Energy Affordability Network (LEAN), lead agencies and advocacy groups, the Green Jobs Academy, and the LEAN subsidiary--the Best Practices Working Group (Utility Program Administrators). To ensure the success of the entire network, this coalition determines the best methods of coordinating services to income-challenged families with the resources available, identifies and discusses training needs of the WAP/Utility network, as well as the most efficient method to deliver the necessary training and technical assistance to those Subgrantees that may be underperforming.

Subgrantee Performance Tracking and Final Inspection Failures and Improvements

EOHLC reviews Subgrantee production and expenditures by category (energy conservation, incidental repairs, health and safety, etc.) each month using a spreadsheet available to all ECU staff members. The spreadsheet calculates average cost per dwelling unit in each of the categories. If something appears unusual, EOHLC will contact the Subgrantee's Energy Director or notify by email about the issue. EOHLC Field Staff track all inspections completed during monitoring visits including: QCI visits (to ensure that EOHLC meets the minimum 10% requirement per Subgrantee), in-process inspections of contractors on-site, and any call-backs. Call-back resolution is tracked through the system and the local agency is notified. Call-backs, as part of 2nd QCI visits conducted by EOHLC Field Monitors, are not counted towards the required 10% per Subgrantee unless a EOHLC Field Monitor returns to the unit for another QCI visit after the issue(s) that originally caused the call-back has been corrected. If there are failed final inspections by the Subgrantee, then the resolution of the issue is tracked and EOHLC identifies additional training and monitoring needs, consistent with Section V.4.3 Final Inspection. EOHLC recommends and/or requires additional training of Subgrantee QCI Inspectors and contractors if an individual QCI has an unacceptable rate of call-backs. If continued training from the EOHLC Field Monitors and other training entities fail to result in improved performance, the QCI will not be allowed to perform QCIs on DOE WAP dwelling units until competence can be demonstrated to the EOHLC Field Monitors.

Subgrantee Management and Financial Findings or Concerns

EOHLC has not had significant management or financial findings in any of the current WAP Subgrantees in recent fiscal years. Concerns related to Subgrantee WAP staffing transitions, QCI certification requirements, and potential implications on WAP dwelling unit production have been addressed. Generally, the contracted WAP Subgrantees are in a strong position to administer an accountable and successful DOE WAP.

Program Management and Systems Improvements

While EOHLC is proposing no specific management improvements or changes in the technical or financial systems during FY 2025, we consistently look for ways to improve the management, financial, and programmatic systems used to operate the DOE WAP.

Market Analysis

To determine whether the cost of installed measures is appropriate, EOHLC reviews the pricing structure for the state's non-low-income utility-funded energy efficiency program called Mass Save. The most recent review in the fall of 2023 indicated that the installed costs for measures are comparable in the WAP. The fact that the WAP prices are comparable is significant especially considering that the utility programs are much larger in terms of the amount of work available, and have significantly less quality control, oversight, and training requirements. EOHLC also informally checks with suppliers about the cost of materials (i.e. bags of cellulose, fiberglass insulation, door weather-stripping, two-part foam packages, etc.). EOHLC ECU staff also coordinate a series of statewide meetings with contractors to seek their feedback on WAP measure pricing with the next pricing analysis to be conducted in the fall of 2025.

Maintaining the Privacy of Recipients and Recipient Services

EOHLC must comply with all Government requirements to protect the privacy interests of individuals who participate in federal financial assistance programs.

Pursuant to the EOHLC WAP contracts, the Subgrantees act as **holders** of the Commonwealth's WAP personal data. Because of this, certain laws, rules, and requirements apply if a Subgrantee receives a request from an individual, company, or agency outside of their office's WAP program to use the WAP data or to forward a hard copy or electronic copy of client file information, or if the Subgrantee wants to use WAP program data to refer WAP applicants to other programs or services outside of their agency's WAP program.

Pursuant to 5 U.S.C. 552(b)(6), of the Freedom of Information Act, agencies must keep confidential any specific identifying information related to an individual's eligibility application for WAP, or the individual's participation in WAP, such as name, address, or income information.

WAP agencies should also review the EOHLC WAP contracts for additional information about the state and federal data sharing, privacy, and security of information restrictions and requirements of which the WAP agencies must comply.

In general, if a WAP agency receives a request from an individual, company, or agency outside of their office's WAP program to share or use the WAP program data, or to forward a hard copy or electronic copy of client file information, the agency should first contact EOHLC and provide information about the request. EOHLC will review each request on a case-by-case basis. EOHLC may ask the Subgrantee to provide additional information about the request. EOHLC will determine if the client information can be provided, and if there are any additional steps that need to be taken, such as removing all client personally identifiable information prior to forwarding any such client information, executing an appropriate EOHLC data sharing agreement, or other steps.

EOHLC may release information about recipients in the aggregate which does not identify specific individuals. For example, with some exceptions, EOHLC may generally release information on the number of recipients in a county, city, or a zip code as this does not compromise the privacy of the recipients.

V.7 Health and Safety

The Massachusetts Health and Safety Guidance is included as an attachment to the State Plan using the DOE Health and Safety Template.

Of the 207 FY 2024 units reported to date, the average cost per unit for Health and Safety was approximately \$1,139.

V.8 Program Management

V.8.1 Overview and Organization

Organization

Staffing Pattern/Responsibilities

The overall responsibility for the U.S. Department of Energy's Weatherization Assistance Program (DOE WAP) for Low-Income Persons rests with the Secretary of the Executive Office of Housing and Livable Communities (EOHLC). The program is operated on a day-to-day basis by the Energy Conservation Unit (ECU) within the Division of Strategy and Climate (DSC).

EOHLC is the primary agency that addresses housing and self-sufficiency issues in Massachusetts through the administration and management of public housing programs, subsidized housing programs, affordable housing, and home ownership programs. The DSC within EOHLC deals with other state, local, and regional agencies, nonprofit organizations, and municipalities working to maximize available resources and programs to create and enhance long-term self-sufficiency and opportunities for communities, families, and individuals. The Community Services Block Grant (CSBG) program, the Low-Income Home Energy Assistance Program (HEAP), and other self-sufficiency, economic development, and community-based programs are operated within the Division. The Energy Conservation Unit within DSC is responsible for the DOE WAP, the Heating Emergency Assistance Retrofit Task Weatherization Assistance Program (HEARTWAP—the HEAP Conservation Set-Aside funded heating system repair, replacement, and maintenance program), as well as any other weatherization assistance and related energy efficiency programs which might be funded through other sources. Direct costs (including personnel) for WAP are only paid for using DOE WAP funds. Any other personnel time on other programs are charged for and paid by non-DOE funds. EOHLC is not responsible for the DOE funded State Energy Program (SEP). SEP is administered and overseen by the Massachusetts Department of Energy Resources (DOER).

The following is a listing of confirmed DOE-funded EOHLC staff for Program Year 2025:

Supervisor, Energy Conservation Unit

Energy Programs Coordinator

Energy Programs Specialist

Energy Programs Analyst

Energy Programs Technical Coordinator

Technical Field Representative I

Technical Field Representative II

Community Services Unit Manager

Undersecretary, Division of Strategy and Climate

Fiscal Director (within EOHLC's Fiscal Division)

Fiscal Representative (within EOHLC's Fiscal Division)

Fiscal Monitor (within EOHLC's Fiscal Division)

Counsel (within EOHLC's Legal Division)

Contracts Manager (within EOHLC's Fiscal Division)

EOHLC Receptionist

Systems and Procedures

The primary step in Grantee planning for the DOE WAP is the completion of the State Plan. The State Plan provides Subgrantees the guidelines for the operation of the DOE WAP during any program year. The State Plan is incorporated by reference in the contracts between EOHLC and the WAP Subgrantees. Subgrantees are required to report their WAP activities and expenditures to EOHLC on a monthly basis. The monthly reports include various expenditure and statistical information. Program requirements at the local level are monitored by EOHLC staff.

Fiscal Procedures: Grantee and Subgrantee

EOHLC has a fiscal system that uses the DOE Monthly Fiscal Report Form in conjunction with a program report that includes all WAP dwelling unit expenditures reported on the Building Weatherization Reports (BWRs), to reimburse Subgrantees for their expenses in a timely manner, less than 45 days as outlined in the standard contract with each Subgrantee. The reimbursements are electronically transferred to the Subgrantees through the Massachusetts Management, Accounting, and Reporting System (MMARS). When the Contract for Services with the WAP Subgrantee is approved by the Massachusetts Comptroller's Office, and upon the request of each individual Subgrantee, EOHLC can electronically transfer seventeen percent (17%) of the total budget for that year to provide cash flow needed for the start-up of the program. After that initial advance, Subgrantees submit a Monthly Report/Invoice, no later than the 15th of the month for actual expenses incurred in all budget categories in the prior month. The seventeen percent (17%) advance must be spent down, or nearly spent down,

before a Subgrantee requests additional funds. Advanced funds are not to be carried-through the entire Program Year. Throughout the Program Year, EOHLC Community Services Finance Unit staff balance expenditures against reimbursements. EOHLC staff monitors all monthly reimbursements, relative to the total overall budget per category. Once the maximum contractual reimbursement is disbursed, funds are no longer provided to the Subgrantee. In this manner, EOHLC ensures that a Subgrantee does not receive funds beyond which it is entitled. Subgrantee Administrative and Program Support funds are allocated on a per dwelling unit basis. If the Subgrantee does not meet its production goal, it is not entitled to the corresponding Administrative or Program Support. The accountability of grant funds within each Subgrantee is the responsibility of the Subgrantee Fiscal Officer. The Fiscal Officer issues periodic financial statements to participating weatherization Subgrantees, regarding the status of energy funds. These statements include line item accounts of expenditures to date and funds remaining in each line item. Many Energy Directors maintain duplicate copies of the Fiscal Officer's energy ledger. At many Subgrantees, no funds may be expended without the approval of the Fiscal Officer or Executive Director. In some cases, Energy Directors have the authority to sign-off on funds. Each Subgrantee has its own system of accountability for the in-house expenditure of funds. EOHLC conducts regular annual fiscal monitoring visits to ensure that Subgrantee fiscal operations are in compliance with all state and federal requirements.

Accountability for tools, equipment, vehicles, and materials, once purchased through the above outlined procedure, are the responsibility of the Subgrantee's Energy Director. All Subgrantees are required by EOHLC to maintain an Inventory Control System that classifies "expendable" and "non-expendable" items, indicates their funding source, and at a minimum, describes the item, its purchase price, and location in the Subgrantee. Furthermore, Subgrantee Fiscal Officers are required to record the DOE WAP inventory in their books, so that an accounting of the inventory cost might also be maintained.

Non-Discrimination

The Subgrantees' annual Contracts provide that they shall not deny WAP services or otherwise discriminate in the delivery of services because of race, color, religion, disability, sex, sexual orientation, gender identity, familial status or children, marital status, age, national origin, ancestry, genetic information, receipt of Federal, State, or local public assistance or housing subsidies, veteran/military status, or because of any basis prohibited by law.

The EOHLC will review any complaints of discrimination regarding the weatherization program that are directed to it. Complaints will be fully investigated and reported to DOE within a reasonable time. Massachusetts also has a Commission Against Discrimination that is empowered to deal with instances of discrimination as described in the regulations.

Aspects of the Equal Opportunity guidelines have been incorporated into Subgrantee contracts along with all reporting and accountability requirements. Contract compliance is monitored by EOHLC technical, fiscal, and program staff, with appropriate recommendations submitted to Subgrantee Executive Directors and energy staff.

EOHLC requires Subgrantees to take steps to ensure that client complaints of inadequate service are satisfied to the best of the Subgrantee's ability within program limitations, to have adopted the appeals process used by the EOHLC's Home Energy Assistance Program, for client appeals related to income eligibility for the DOE WAP, and to have procedures for notifying applicants who are deemed ineligible for WAP services on the basis of program eligibility. The appeal process requirement is included in the WAP agreement between the EOHLC and each

Subgrantee.

Subgrantees will provide clients with information at the point of application that they are entitled to appeal a finding of ineligibility, based upon the DOE and EOHLC guidelines. Clients may appeal to the Subgrantee, which must reply in writing, stating the reasons for denying or granting the appeal. A client may further appeal to the EOHLC having been advised of that right by the Subgrantee. The EOHLC must then reply in writing, informing the client of the result of the appeal and the reasons for the decision. Both the Subgrantee and the Grantee will maintain logs of appeals and the result, open to inspection by the appropriate monitoring entities.

Subgrantees will log all complaints and make that log available to EOHLC and DOE. Complaints that are not resolved at the Subgrantee level will be forwarded to the EOHLC who will investigate and determine what actions, if any, need to be taken by the Subgrantee to resolve the situation. The EOHLC may directly arrange for the resolution of a problem if the Grantee determines it is necessary.

Reporting Requirements

The primary mechanism for ensuring compliance with WAP program reporting requirements is the monthly program report required of all Subgrantees. This program report is due to EOHLC no later than the 15th of the month detailing the previous month's expenditures. EOHLC utilizes a software system that combines Subgrantee fiscal reporting of HEAP, HEARTWAP (EOHLC's heating system repair, replacement, and maintenance program), as well as fiscal and program reporting of the DOE WAP. The software provides EOHLC with enhanced desktop monitoring capabilities and allows greater coordination between fiscal and programmatic reports. This software provides EOHLC with Building Weatherization Reports for each WAP job completed and includes expenditure data by category and statistical data related to household characteristics. The program report provides EOHLC with the resources to complete desk-top monitoring of expenditures and appropriate weatherization measures as well as the ability to target client files for review in future site visits to the Subgrantee. EOHLC is also able to complete accurate quarterly reports to the DOE in a timely manner.

Subgrantee Organization

The DOE WAP Subgrantees for the Commonwealth of Massachusetts include fifteen (15) Community Action Agencies, and one (1) non-profit housing agency. Though all are similar in the way they approach their management of the Weatherization Assistance Program, each has the freedom to shape their organization and their energy program in the manner which best meets their needs, as well as the needs of the communities they serve. Through the budget review and approval process as well as ongoing monitoring procedures, EOHLC ensures that Subgrantees have adequate technical and administrative staff to administer the DOE WAP.

Contractor Labor

All weatherization work in Massachusetts is completed by private sector contractors under contract with Subgrantee agencies. Contractors participating in the DOE WAP respond to an open competitive procurement process. The Subgrantee has the responsibility of reviewing the responses and then using a minimum of three (3) contractors for the work that is needed. The

contractors are then awarded work on an equitable basis. While EOHLC does not provide certification for private sector contractors used in the WAP, all contractors must demonstrate technical competence and knowledge of typical DOE WAP measures, such as air sealing, attic/sidewall insulation installation, and health and safety protocols before signing a contract with a WAP Subgrantee. Contractors must also demonstrate competency using a blower door apparatus and that their insulation blowing equipment is capable of completing dense-pack sidewall insulation. EOHLC technical staff and consultant trainers also provide training on weatherization techniques to private sector contractors working in the program as needed. EOHLC also provides contractors with subsidized training at the Green Jobs Academy, an IREC Accredited DOE training center. Contractors must provide verification that they have satisfied all licensing requirements consistent with state regulations (Construction Supervisors License or Insulation Specialty License), have an active Home Improvement Contractor Registration status with the Mass. Office of Consumer Affairs and Business Regulation, maintain current and adequate Liability and Workers' Compensation Insurance policies, received OSHA Job Safety Training, passed an EPA approved Lead-Safe Renovators program, are MA Licensed Lead-Safe Contractors (Massachusetts equivalent of EPA Certified Renovator Firm), as well as any EOHLC required refresher training.

Once a contractor has completed a weatherization job, the Subgrantee must perform a final quality control inspection visit to the dwelling. No contractor shall be paid until all work has been inspected and approved as acceptable by a Subgrantee-employed HEP Certified Quality Control Inspector. All call-backs must be corrected prior to payment being made. If work performed by a contractor is consistently less than acceptable, the Subgrantee has the option of terminating the contract with the contractor and requiring the return of any outstanding work. Additionally, the EOHLC technical field staff perform frequent quality control visits to dwellings in each Subgrantee service area on a regular (monthly) basis. If the EOHLC staff member determines that a contractor is doing work that is not up to WAP standards, the Subgrantee Energy Director and WAP staff will be informed and provided with recommendations or requirements for additional training or termination if problems persist.

Subgrantee Implementation

The Subgrantee implementation of the DOE WAP must be in accordance with the State Plan, the DOE WAP contract with EOHLC, their approved budget, any guidance that is released by EOHLC including DOE/NREL Standard Work Specifications, the Massachusetts Weatherization Field Guide, the Massachusetts WAP Policies and Procedures Manual, and any memoranda that the EOHLC releases. Subgrantees are monitored regularly (monthly site visits) to ensure adherence to programmatic requirements.

EOHLC staff monitors all monthly reimbursements, relative to the total overall budget by category. Once the maximum contractual reimbursement is disbursed, the State Comptrollers' accounting system is designed to ensure that no additional funds are available to the Subgrantee.

V.8.2 Administrative Expenditure Limits

Subgrantees are awarded Administrative funds on a per dwelling unit basis in such a manner to make certain the allocation in the Subgrantee Administration is no less than 7.5% of the total administrative funds available. For FY 2025 that amount is \$1,000 per unit and results in 7.57% of the available administrative funds allocated to Subgrantees.

Due to the availability of utility leveraged funds, no Massachusetts WAP Subgrantee requires the use of administrative funds in excess of the budgeted amount and none have requested additional funds. Our two (2) smallest WAP Subgrantees, Quincy Community Action Programs, Inc. (QCAP) and South Shore Community Action Council, Inc. (SSCAC) are currently budgeted for 22 units each (total DOE WAP allocation of \$260,295 including \$22,000 in admin. and \$25,675 in Weatherization Readiness Funds). Both reported utility leveraged energy efficiency resources during calendar year 2024 and expect similar utility funding for 2025.

V.8.3 Monitoring Activities

The Massachusetts WAP Grantee (EOHLC) will conduct regular technical, programmatic, administrative, and financial monitoring to ensure the program is being implemented by Subgrantees consistent with the requirements of [U.S. DOE Title 10 CFR Part 440](#), [NREL/DOE Standard Work Specifications](#), the [Massachusetts Weatherization Field Guide, 2025 Edition \(mass.gov\)](#), [DOE WPN 24-4](#) and the Massachusetts WAP Policies and Procedures Manual.

Generally, technical/programmatic monitoring will be completed by EOHLC Technical Field staff on each WAP Subgrantee every 4-6 weeks. This visit will include full QCI inspections of work completed and a review of associated client files to ensure compliance with Section 8.13 of the Massachusetts WAP Policies and Procedures Manual (household eligibility, energy audit/inspection procedures, Lead RRP required documentation, work/job order, in-process inspections, contractor(s) invoice(s) and quality control inspections). Monitoring is performed in an impartial and complete manner, including a review of the energy modeling inputs and outputs. In addition, in-process inspections of work while WAP contractors are on-site will be completed whenever possible. In-process inspections include quality of work review, compliance with energy audit requirements, job site safety, and Lead RRP compliance.

EOHLC also completes a full scale annual programmatic/administrative monitoring (Program Assessment) visit for each WAP Subgrantee. This visit includes a review of client files, administrative systems, client selection process and priorities, leveraging activities, contractor procurement, utilization and file maintenance (including required insurance, licensing, and Lead RRP certification documented WAP sponsored training, and contractor's signed Debarment statement), technical procedures, (energy audits/adherence to WAP Audit requirements, health and safety testing, work orders, contractor invoice, and quality control inspection), re-weatherization unit identification procedure and reporting. The Program Assessments incorporate a review of the WAP Field Monitoring for the year. The Assessments are generally completed by a combination of one or two of the Technical Field Representatives, the Energy Programs Coordinator and/or the WAP State Program Manager. EOHLC conducts an exit conference at the close of each assessment. In addition, ECU technical field staff often perform mid-year client file reviews at each Subgrantee to identify potential issues and to help with consistency across the Commonwealth.

Subgrantees are provided a written report from the EOHLC ECU within thirty (30) calendar days detailing Findings, Concerns, Recommendations, Commendations, and Best Practices. Due dates for any corrective actions required by the Grantee are noted in the report. Subgrantees are given a period of time, typically three (3) weeks, to respond to the Assessment. EOHLC reviews the response to make certain that corrective actions and

recommendations are addressed and follows up as needed. Follow-up visits are completed when needed to verify compliance. The WAP Program Assessment Monitoring instrument is attached.

Generally, EOHLC Technical Field Staff typically conduct Subgrantee field visits 3-4 days per week. All three (3) field staff members are HEP QCI certified. EOHLC will complete a full quality control inspection on no less than ten percent (10%) of the dwelling units completed by each Subgrantee during the FY 2025 program year, as EOHLC has adopted the Independent Energy Auditor/QCI option for administering Quality Control Inspections. While many Subgrantees in Massachusetts have a separate staff person conducting energy audits and QCIs, there are Subgrantees in the state that are small with limited staff. Thus, EOHLC has chosen the Independent Energy Auditor/QCI option assuming that each Subgrantee is not utilizing a separate Energy Auditor and QCI person, even though they might in fact be using separate individuals to perform these job roles. Should there be a Subgrantee where significant or repeated deficiencies are observed, EOHLC reserves the right to increase both the frequency and percentage of units monitored at that Subgrantee. In addition, since Massachusetts WAP utilizes only contractors and not crews, the individual(s) who performed the final inspection on a dwelling unit did not perform any weatherization work on the dwelling unit.

The EOHLC ECU field staff have all received extensive training and certification in all aspects of weatherization. The ECU Technical Coordinator is a BPI Field Proctor Mentor (able to train others to become Proctors). The ECU field staff training and certifications include:

- BPI Home Energy Professional Quality Control Inspector
- BPI Building Analyst Professional and Envelope Specialist (or their previous titles)
- Advanced Blower Door Training/Pressure Diagnostics
- Combustion Safety Training
- Thermal Imaging Training by Snell Infrared, Monroe Infrared
- EPA Lead RRP Certified Renovator/Mass Lead Safe Renovator Supervisor
- DOE Lead Safe Weatherization (LSW)
- OSHA 10 Job Site Safety
- ASHRAE 62.2-2016
- New England Fuel Institute Oil Heat Technician Training
- OSHA Confined Space Training

In addition to these formal trainings, the staff has regularly attended continuing education opportunities at DOE National and Regional Training Conferences, Home Performance Coalition New England Training Conferences, various trainings offered by manufacturers of combustion testing equipment and heating systems, the Massachusetts Gas Networks Annual Heating System Training, Heat Loss/Heating System Sizing Software training using the TACO Flo Pro software. Staff also has been provided the DOE/NREL Energy Auditor, Crew Member, and Crew Chief curricula for review. In addition, EOHLC staff regularly review web-based trainings and videos available on a variety of subjects related to home weatherization, insulation, heating systems, combustion safety and efficiency testing, as well as trade journal articles related to home heating, weatherization, and residential construction and remodeling. EOHLC staff also maintains contacts within the various industries involved in home weatherization and home heating and provides WAP Subgrantees with technical and product literature as well as website links.

While much of the field staff responsibilities are technical in nature, they are also well versed in the programmatic aspects of the program. An important part of their responsibilities includes review of client files for compliance in all aspects from client selection through verification of the final quality control inspection and reporting of the work to EOHLC.

The Technical Field Staff positions are paid by Grantee Training and Technical Assistance funds and EOHLC's HEAP-funded heating system repair, replacement, and maintenance program. EOHLC views each monitoring visit as an opportunity for identifying Training and Technical Assistance needs as well as to ensure programmatic compliance with regulations and standards. \$148,236 is budgeted for Grantee monitoring activities. This equates to 24% of WAP Grantee T&TA funds being used for monitoring activities. As a percentage of the total T&TA allocated (to Subgrantees and WAP Training Center) that percentage is approximately 23.7%.

Each Subgrantee typically receives 10-12 technical/programmatic monitoring visits each year with one or two completed dwelling units inspected with a full QCI review during each visit. Subgrantees are sent a WAP Informational Memorandum prior to each month with the scheduled dates for WAP monitoring visits detailed for the upcoming month. Technical Field Monitors regularly rotate to different Subgrantees so that each Monitor completes site visits to each Subgrantee at least twice per year.

Each monitoring visit also includes a client file review for compliance with the required documentation consistent with the Client File section of the WAP Policy & Procedures Manual. Additional Training and Technical Assistance or Monitoring visits are scheduled if problems are identified either during regularly scheduled monitoring visits or through desk reviews of monthly reports. Field staff complete a written report following each monitoring visit which is sent to the Subgrantee within thirty (30) calendar days. If there are any call-backs identified as a result of the monitoring visits, the Subgrantee must provide EOHLC with the resolution to the call-back. EOHLC tracks call-backs both by Subgrantee and contractor to assist in identifying problems and potential training opportunities (i.e. if a particular contractor is having a problem with air sealing measures, EOHLC will identify and provide appropriate training). Similarly, if EOHLC identifies a Subgrantee or a specific Energy Auditor exhibiting a pattern of missed opportunities or recommending inappropriate measures, EOHLC will provide additional training. Call-backs, as part of 2nd QCI visits conducted by EOHLC Field Monitors are not counted towards the required ten percent (10%) per Subgrantee unless an EOHLC Field Monitor returns to the unit for another QCI visit after the issue(s) that originally caused the call-back has been corrected. EOHLC recommends and/or requires additional training of Subgrantee QCI Inspectors and contractors if an individual QCI has a higher rate of call-backs than the average QCI. If continued training from the EOHLC Field Monitors and other training entities fails to result in improved performance, the QCI will be removed from performing QCIs on DOE WAP dwelling units until competence can be demonstrated to EOHLC Field Monitors. Call-backs related to the installations completed by WAP contractors are rectified at no cost to the DOE WAP. If additional appropriate work that was not identified by the WAP Subgrantee is needed and is identified by the EOHLC field staff, and that unit has been submitted to DOE, no additional DOE funds will be used to correct the deficiencies.

EOHLC Technical Field Monitors utilize a tablet-based monitoring form, Weatherization Field Visit Report (attached to the State Plan). The form used by field staff has hyperlinks to the DOE/NREL Standard Work Specifications (SWS) related to the installed measure. All

monitoring will be conducted to ensure that work is in compliance with the SWS, DOE WAP Energy Audit requirements, and 10 CFR 440 Appendix A.

The Contract between EOHLC and Subgrantees provide that the Executive Office may terminate or suspend the Contract pursuant to the Commonwealth Terms and Conditions as well as the terms of the Scope of Services to the contract.

The Contract Scope of Services also contains the following provisions related to monitoring, field visits, and inspections:

(E) The Executive Office reserves the right under this Contract to secure its own independent audit of the Contractor's records, if in its sole discretion, the Executive Office determines it is necessary for any reason.

(G) The Executive Office's staff and authorized representatives may evaluate the Contractor, and any subcontractors with whom the Contractor has executed a contract or other form of legal agreement in order to complete the Contractor's activities funded under this Contract between the Contractor and the Executive Office, through ongoing monitoring. As deemed appropriate by the Executive Office, the Executive Office's staff and authorized representatives may also conduct further reviews and site-visits of the Contractor and any such subcontractors during the Contract term, which may include fiscal reviews. In addition, the Executive Office's staff shall also evaluate the Contractors annually through the "Weatherization Assistance Program Subgrantee Assessment Procedure". Executive Office staff shall use interviews, inspection of client files, site visits and direct observation to identify program strengths and areas of concern so that Contractors can improve their productivity, efficiency, quality, and management capacity.

(H) Following each monitoring visit to the Contractor, the Executive Office shall prepare and submit a written report within thirty (30) calendar days detailing Findings, Concerns, Recommendations, Commendations, and Best Practices, a copy of which shall be sent to the Contractor's Executive Director or other authorized representative. The Executive Office's Monitoring Report may contain observations, evaluations, suggestions and/or specific direction for corrective action on the part of the Contractor. In the event that specific corrective action is provided, the Contractor shall have thirty (30) days from the receipt of the directions to comply, or ten (10) days to contact the Executive Office in the event that the Contractor does not agree with the findings or direction of the Executive Office's report. In the case of a dispute, the Executive Office and the Contractor shall meet at the earliest convenience to resolve the specific disputed issues. Failure of the Contractor to reply to or comply with specific directions provided by the Executive Office shall be treated as grounds for termination or suspension under Section 4 of the Commonwealth Terms and Conditions and herein.

(I) The Executive Office may also determine, upon the basis of its own monitoring reports, Contractor reporting, and observed Contractor activity, that a comprehensive review of the Contractor's operation of WAP is warranted. Such review shall result in a written report, with findings presented, and corrective action specifically directed if applicable. The Contractor agrees to cooperate with such program review activities. Failure to comply with specific directions shall be treated as grounds for termination or suspension under Section 4 of the Commonwealth Terms and Conditions and herein.

(J) The Executive Office or its authorized representative may conduct an exit interview at the end of each inspection, review, or audit.

(N) The Contractor is required to comply with Section 7 of the Commonwealth Terms and Conditions regarding the retention of records and supporting documentation. The Contractor shall make all such books, records, reports, and compilations of data available to an auditor or other representative authorized by the Executive Office (including without limitation, fiscal monitors or auditors). The Contractor shall ensure the cooperation of its employees and Board members in any review, audit, or inspection conducted by the Executive Office, its authorized representatives, representatives of the Commonwealth of Massachusetts, the U.S. DOE, and the Comptroller General of the United States, and will provide assistance in obtaining information maintained by the Contractor relevant to the completion of the audit of expenditures made pursuant to this Contract. The Contractor must give auditors access to personnel, accounts, books, records, supporting documentation and other information as needed for the auditors to perform the required audit, pursuant to the OMB Super Circular §200.508(d).

(U) The Contractor agrees to inform and/or provide the Executive Office with notice of any communication and/or correspondence originating from U.S. DOE or their representatives regarding the WAP.

(V) Within 5 business days of receipt, the Contractor shall notify the Executive Office and provide the Executive Office with copies of any and all exception reports and written communications of an audit or review of the Contractor and any written final reports of such audits or reviews that the Contractor receives during the Contract term from DOE, the Federal and/or State Office of the Inspector General (OIG), and the Office of the State Auditor. Such reports or communications may be provided electronically.

Desktop financial monitoring is completed throughout the Program Year for each WAP Subgrantee by the Division of Strategy and Climate' Finance Unit (SCFU). Biennially, SCFU staff generally conducts a monitoring visit onsite at the Subgrantee and reviews Subgrantee financial management procedures. The SCFU reviews accounting records for compliance with required record keeping, payroll system and practices, bank accounts/statements, cash disbursements, credit card charges, travel expenses, and financial management procedures. While the reviews are conducted biennially, more frequent visits will be scheduled if the fiscal situation at a particular Subgrantee(s) warrants. Written reports, in support of the exit interview, are mailed to the Subgrantee within two (2) weeks of the visit. Subgrantees must respond in writing within thirty (30) days of receipt of the report.

Subgrantee financial Single Audits from the Community Action Agencies are uploaded into the Community Services Group's reporting software and reviewed each year by the EOHLC CSBG Fiscal Representative assigned to the agency as part of the Triennial/Annual Desktop review process. Any Subgrantee that is not a Community Action Agency will submit a hard copy of the Single Audit to the EOHLC WAP Fiscal Representative via email for review on an annual basis.

EOHLC completes Desk Reviews of Subgrantees each month. Programmatic Building Weatherization Reports (BWRs) are submitted for each dwelling unit weatherized. BWRs contain information about energy efficiency, incidental repairs, and health and safety measures completed, as well as all related costs on each dwelling unit. All BWRs are reviewed to make certain that all expenditure data is within the allowable parameters and that the

efficiency improvements are appropriate. Subgrantees are contacted with questions as needed and corrections made as required. EOHLC identifies if there are any patterns of unusual activities such as any dwelling units with high repair costs. Reported dwelling units are also identified for potential scheduled site visits during the desk review process.

Lastly, EOHLC reviews the success of the monitoring policies and updates the policies accordingly based on any monitoring related WPNs from DOE. EOHLC works to resolve any issues that affect the quality and impartiality of the inspection process.

V.8.4 Training and Technical Assistance Approach and Activities

EOHLC considers Training and Technical Assistance (T&TA) to be the core component of administering a technically sound Weatherization Assistance Program, and views all interactions with WAP Subgrantees and weatherization contractors as an opportunity to assess and improve the operations of the Program.

EOHLC's Training and Technical Assistance activities are designed to maximize energy savings, minimize production costs, improve program management, improve the technical skills of WAP Energy Auditors/Inspectors as well as private sector contractors, ensure the health and safety of WAP clients and workers, and reduce the potential for waste, fraud, and abuse in the Program. EOHLC also strongly believes in the importance of continuing education and improvement in all areas of the Program, technical and management for the Grantee, and Subgrantee and installation contractors. EOHLC uses our monitoring as well as any recommendations from the Massachusetts Office of the Inspector General (MA OIG), and other work quality issues and training requirements identified on the NASCSP / WAPTAC website, to identify areas of potential weakness, how they relate to our operation of the WAP, and what EOHLC needs to do to continually improve the quality of services provided and prevent complacency.

EOHLC tracks Subgrantee technical staff training and certifications in an Excel spreadsheet that is regularly updated. Training and certification information, as well as tracking the results of monitoring visits, are used to assist EOHLC in identifying and planning training needs and ongoing certification requirements.

Subgrantees are responsible for making certain that contractors working in the DOE WAP have the necessary training and credentials including required levels of Liability and Workers' Compensation Insurance, State Construction Supervisor License or Insulation Specialty, MA. Home Improvement Contractor Registration, MA. Lead RRP License, OSHA 10 Job Site Safety, and OSHA Confined Space. All information must be maintained in a contractor file that is reviewed at least annually by EOHLC staff.

Massachusetts' training plan will follow the Comprehensive Training and Specific Training categories as outlined in WPN 22-4 "Quality Work Plan", Section 3, and as required, will meet the National Renewable Energy Laboratory (NREL) Job Task Analysis (JTA) for which the worker is employed. Subgrantees are encouraged to re-certify their Energy Auditors and Quality Control Inspectors in accordance with this training plan, as needed, and at least six (6) months

prior to the expiration of the individuals' certification date to ensure an adequate supply of QCIs, as well as all other occupational specialties requiring certification.

The major objective of Training and Technical Assistance is to provide Subgrantees with the information and training required to administer and operate in compliance with both DOE and Massachusetts WAP rules and regulations. To satisfy the inspection requirement of WPN 22-4, all Subgrantees and subcontract agencies are required to have at least one (1) QCI certified person on staff or if necessary may contract with an independent QCI contractor, or use the QCI staff resources of another agency on a temporary basis.

In addition, EOHLC will train the Massachusetts WAP network on the approved NEAT/MHEA Users' Manual. Every agency will need to maintain access to this manual which offers step-by-step instructions on how to utilize both the NEAT and MHEA energy audits. EOHLC will also provide trainings on the approved Region 3 DOE Priority Lists for single-family 1-4 unit dwellings as well as manufactured (mobile) homes.

Comprehensive Training

Comprehensive, occupation-specific training which follows a curriculum aligned with the JTA for that occupation. Comprehensive training must be administered by, or in cooperation with, a training program that is accredited by a DOE-approved accreditation organization (e.g. Interstate Renewable Energy Council (IREC) accredited) for the JTA being taught.

Comprehensive - Training Providers

Comprehensive Training IREC accredited training providers are located throughout the country and Comprehensive Trainings are provided throughout the year and dependent upon the training provider's schedule. Subgrantees are reminded that any out-of-state training activities must be approved in advance by EOHLC.

The following WAP training centers are IREC accredited for Comprehensive Training:

Green Jobs Academy (subsidiary of WAP Subgrantee South Middlesex Opportunity Council)
7 Bishop Street, Framingham, MA 01702
(508) 626-7150

Green Jobs Academy Training Center
91 Bartlett Street Marlborough, MA. 01752
<http://www.smoc.org/green-jobs-academy.php>

New York State Weatherization Director's Association (NYSWDA) Training Center
Syracuse Training Center
5869 Fisher Road, East Syracuse NY 13057
<http://www.nyswda.org/training/training-center/syracuse>

Community Housing Partners (CHP)
CHP Energy Solutions Training Center

550 Industrial Drive, Christiansburg, VA, USA 24073
<https://www.communityhousingpartners.org/276/train.html>

The following non-WAP related training centers are IREC accredited:

Greenfield Community College
Greenfield Community College Science Dept. 1 College Drive
Greenfield, MA 01301
www.gcc.mass.edu/ (H.E.P. Energy Auditor only)

Institute of Environmental Management & Technology
10 Long Hill Avenue
Shelton, CT 06484
UNITED STATES
www.emc1.com/iemt/

Additional IREC accredited training centers are available using the dropdown menu here:
<http://www.irecusa.org/credentialing/credential-holders/>

Comprehensive Training courses include:

Home Energy Professional – Crew Leader
Home Energy Professional – Energy Auditor
Home Energy Professional – Retrofit Installer
Home Energy Professional – Quality Control Inspector

As a subsidiary of the MA. Subgrantee South Middlesex Opportunity Council (SMOC), the Green Jobs Academy (GJA) utilizes and provides T&TA funding to facilitate training for WAP staff and contractors working in the WAP.

The GJA is IREC accredited as a training facility for Quality Control Inspector, Retrofit Installer Technician, and Crew Leader. In addition, GJA recently received IREC accreditation for Energy Auditor in 2019. GJA offers BPI continuing education credit for attendance as well as continuing education credit for Massachusetts' Department of Public Safety licensing requirements (i.e. Construction Supervisor, Insulation Specialty License, etc.). The GJA is a certified BPI Training and Testing Center. All training is aligned with the DOE/NREL Job Task Analysis (JTA) and will be conducted by the Green Jobs Academy to ensure that the trainings meet the Comprehensive Training requirements of the DOE Quality Work Plan. Certificates of completion will be awarded for all classroom Comprehensive Trainings and Specific Trainings.

Comprehensive Training will be required of all WAP Subgrantee technical staff completing energy audits and inspections. Training will be completed as modules using curriculum based on the NREL Job Task Analysis (JTA). EOHLC will require additional training if WAP monitoring indicates that the Energy Auditor/Inspector needs to improve his/her knowledge and/or skills. EOHLC will track training completed in the training/credential spreadsheet referenced above. Failure to attend training as required will result in the Energy Auditor/Inspector being prohibited from completing WAP energy audits and inspections until the training requirements are satisfied.

Energy Auditor/Quality Control Inspector Training:

All current WAP Energy Auditors and Quality Control Inspectors will be required to attend an Energy Auditor training module to maintain DOE WAP certification. GJA will provide both field and classroom instruction that aligns with NREL JTA/KSA for the Energy Auditor classification. Curriculum will be based on the JTAs and will be offered in modules. Core modules will include, but not limited to:

- Weatherization Basics and Home Assessment Procedure
- Building Diagnostics/Blower Door Basics
- Infrared Thermography
- Heating System Diagnostics and Testing
- Health and Safety Evaluation and Testing
- Combustion Safety/CAZ Testing
- ASHRAE 62.2-2016
- Advanced Blower Door/Zonal Pressure Diagnostics
- Manufactured Housing Evaluation

Energy Auditor Certification Requirements:

EOHLC requires that Subgrantee Energy Auditors and Quality Control Inspectors undergo a training program to ensure that they are technically competent. There is a mandatory three (3) week course that must be satisfactorily completed for all technical staff who will be working on DOE funded jobs. The program is tailored to the needs of the individual and varies depending on the background of the individual. If new staff have been hired who do not have any BPI certifications, the BPI Building Science Principles (BSP) course is required to be completed.

EOHLC has a certification process in place that Energy Auditors must complete within six (6) months of being hired and before they conduct any DOE WAP energy audits on their own. The two-part process includes a field test that involves conducting two field energy audits. The candidate must demonstrate the ability to set-up and use a blower door apparatus to conduct a single point CFM @ 50 test, and to identify the air sealing needs of the dwelling unit. The Energy Auditor must complete an inspection and evaluation of the heating system and all combustion appliances for efficiency, safety, CO testing, and proper draft, as well as demonstrate the ability to conduct a combustion appliance zone (CAZ) test. All other health

and safety concerns (asbestos, lead issues, moisture/mold concerns, and VOCs) must be identified and addressed. The dwelling unit must be evaluated for ASHRAE 62.2-2016 requirements. Other requirements include, but are not limited to: evaluation of appropriate insulation needs of the dwelling, defining the thermal and pressure boundary, and accurately measuring and determining the square footage of areas to be insulated, as well as demonstrating appropriate client education abilities. The candidate must complete the initial inspection and recommended measures in the Subgrantee energy audit package and submit it to EOHLC for review. WAP Subgrantee Energy Auditors/Inspectors are required to be certified using EOHLC's MA WAP specific field test and a 100 question written test. Energy Auditors/Inspectors are also required to complete the MA Department of Labor Standards, Lead RRP Certified Renovator. Energy Auditors/Inspectors are also required to take advantage of continuing education opportunities such as Advanced Blower Door/Pressure Diagnostics, Combustion Safety, and training involving heating system sizing, installation, and operation.

In 2010, EOHLC began the process of requiring BPI Building Analyst Professional training/certification, and funded the training and certification. However, when DOE/NREL began the Job Task Analysis and professional certification for the four (4) job classifications and Home Energy Professional Certifications (Energy Auditor, Quality Control Inspector, Crew Member, and Crew Chief), EOHLC viewed those classifications as more relevant to the WAP and held off on the requirement for BPI certification. Subgrantees were encouraged to continue the process for those interested in pursuing the BPI certification (or maintaining their existing certification). Those staff members who have received BPI certification are encouraged to maintain that certification pending DOE's move to the Home Energy Professional certification requirements. Green Jobs Academy now offers training towards the BPI Energy Auditor / Quality Control Inspection certification. EOHLC encourages all Subgrantee staff to move towards Energy Auditor certification. EOHLC still currently has our own certification for Energy Auditor which has both a written and field test component.

Quality Control Inspector Training and Certification

QCI Certification Training:

During the FY 2025 program year, EOHLC will continue the process of training and certification for Quality Control Inspectors consistent with DOE's Quality Work Plan guidance. EOHLC will provide WAP Subgrantees and the Green Jobs Academy with adequate T&TA funding to provide QCI certification training to as many technical staff members as needed that exhibit the ability to successfully complete the training and certification process.

To ensure that adequately trained and certified QCI staff are available, GJA will conduct Energy Auditor / QCI trainings during the 2025 Program Year. Any Subgrantee staff planning to attend must demonstrate that he/she has adequate background and training to satisfy the prerequisites to take the examination. Subgrantees are free to utilize any accredited training and testing entity to ensure that they have an adequate number of certified QCI staff. If there are an insufficient number of Subgrantee candidates for the GJA to hold a class, EOHLC recommends that the Subgrantee schedule the training at a larger DOE WAP training facility such as the NYSWDA facility in New York that attracts candidates from a larger region. The certification tests may be completed with any certified training center or with GJA.

Currently, each WAP Subgrantee and subcontract agency have at least one QCI certified individual. EOHLC recognizes the need and value of having highly qualified and certified staff and will assist Subgrantees in identifying candidates for QCI training and certification. EOHLC will not limit the number of qualified Subgrantee WAP staff within the network that are allowed to go through the process. EOHLC will support all qualified technical staff that have demonstrated a reasonable likelihood of success. EOHLC also encourages and requires certified staff to earn CEUs to maintain their certification.

Specific Training

Single-issue, short-term training to address acute deficiencies typically identified during field monitoring such as dense packing, crawlspace, ASHRAE, etc. Conference trainings are included in this category.

Specific Training - Training Providers

In addition to IREC accredited Comprehensive Training providers, several non-IREC accredited training providers are located throughout the state; several Massachusetts Community and Technical Colleges have energy efficiency related curriculum; manufacturers and local supply houses offer training on test equipment and heating system operation/sizing; several online entities offer online training. Specific Training courses are provided throughout the year and are dependent upon the individual training provider's schedule. Subgrantees are reminded that any out-of-state training activities must be approved in advance by EOHLC.

Specific Training can be provided by a variety of entities including IREC accredited training centers and independent training companies that deal with specific subjects such as Lead RRP and OSHA regulations. Specific Training can also include training designed to enhance WAP staff computer literacy as it relates to their job within the WAP.

Specific Training courses including, but not limited to:

- ASHRAE 62.2 (2016) - Residential Ventilation
- Audit Assessment
- Blower Door Testing
- Duct Leakage Testing
- Building Science
- CAZ Testing
- Zonal Pressure Diagnostics
- Client Education
- Crew Leader
- Dense Pack Insulation
- Diagnostics - Energy Auditor Testing Equipment
- HVAC Fundamentals
- Infrared Thermography
- Manufactured Housing - Fundamentals
- NEAT/MHEA (WAweb)
- OSHA 10 - Construction
- Lead RRP Renovator - Initial Course
- Retrofit Installer Technician
- Weatherization Management

On July 1, 2024, NEAT/MHEA transitioned to WAweb. WAweb is a three (3) day certification

course for all new staff not familiar with WA8.9.05. There will also be a one (1) day course for those field staff that already have the three (3) day certification of NEAT.

Towards the end of PY 2016, EOHLC began coordinating WAP technical trainings on a variety of, but not limited to, the above referenced Specific Training topics. These trainings will continue in PY 2025 on an as needed basis. These trainings are led by EOHLC technical staff and Green Jobs Academy training staff who attend/participate in these offerings as well. The purpose of these trainings is to hold trainings more regularly on topics that EOHLC Technical Field Staff feel will be helpful to Subgrantee field staff and/or improve Subgrantee field work quality.

The GJA has scheduled the following Specific Trainings to be held on a regular basis:

OSHA Related Training:

OSHA 10 stand-alone completed as needed and in conjunction with installer trainings.

OSHA 30 training as needed.

GJA provides Confined Space training on demand as needed (required of all Subgrantee technical staff).

All BPI courses and test preparation courses:

- Building Science Principles
- Building Analyst
- Energy Auditor with test preparation for EA/QCI

Private sector contractors and their crews working in the WAP will be required to attend regular training.

GJA and EOHLC have experienced success in providing Specific Training on WAP job sites while contractors are completing work. While technically these trainings are considered Specific Training, they will be modules of a group of Comprehensive Training that are part of a full Crew Leader and Retrofit Technician Installer training for crew members.

The on-site model, with a GJA trainer and EOHLC technical staff at the job site, has proved very successful based on past experiences. Training is completed under actual field conditions which enables the trainer and EOHLC staff to observe the crew's tools and equipment, as well as their testing and installation procedures. The trainers can then offer suggestions for improving installation techniques to improve work efficiency and effectiveness while reinforcing the SWS installation requirements. Local agency technical staff will be required to attend and participate. EOHLC and GJA plan to conduct these trainings on a rotating basis for local Subgrantees and contractors as needed and as scheduling permits.

While crews and crew chiefs have completed OSHA 10 as required, job site safety will also be addressed during the trainings. Lead RRP licensing is required of contractors new to the Program and refresher trainings will be offered and required when needed. Trainings will be conducted in several different formats including using the GJA facility and in small groups involving contractors that work for a Subgrantee with the WAP Coordinator, Energy Auditor/Inspector, and EOHLC.

GJA provides the following full Comprehensive Training for contractors:

Crew Leader Training:

GJA currently provides monthly crew lead training available to all contractors participating in the WAP; these workshops have typically been full in recent years. Crew leaders will be required to attend if monitoring results indicate the need. Additional crew leader training will be scheduled as the need is identified.

Retrofit Technician Installer Training:

GJA will schedule Retrofit Technician Installer trainings during the 2025 Program Year, as needed. Additional training will be scheduled as needed.

EOHLC reviews Subgrantee Building Weatherization Reports (BWRs) and dwelling unit production each month as reports are submitted. BWRs are reviewed for appropriate high priority weatherization measures and expenditures. Production is compared to the goal for the period. The BWR review is used on a larger scale to determine that a Subgrantee (or an individual Energy Auditor at that Subgrantee) is completing the most cost-effective measures that will result in the greatest energy savings. If any review determines that the most cost-effective measures are not being completed, EOHLC will identify the need for additional monitoring and training. EOHLC also compares the measures completed and levels of production with other Subgrantees. Underperforming Subgrantees are identified and additional monitoring or training and technical assistance is provided depending on the need.

Client education is delivered in the home as part of the initial energy audit and during the quality control inspection. The information is customized to the needs of the dwelling and interest and abilities of the residents. All WAP Energy Auditor training includes a client education component so that the Energy Auditor understands the following: the importance of communicating with residents of the home what is involved in the weatherization process and what to expect next; how their interaction with installed measures may affect the effectiveness of the measure; what they can do to save energy; and identify and make the residents aware of potential health and safety issues and related air quality concerns. Clients are provided with brochures concerning moisture and mold issues, lead paint safety, radon, and any other information that may be appropriate for the specific needs of the home. In addition to the DOE WAP, Massachusetts' Subgrantees administer the utility-funded Appliance Management Programs (AMPs) that provide residents with information on electric base-load usage and measures that they may take to save electric energy. In many instances, this service is delivered at the same time as the WAP energy audit. EOHLC on-site monitoring visits to a client's home provide an informal means of observing the Energy Auditor's interaction with the residents of the home and the client education delivery resulting in possible recommendations for additional training if needed. EOHLC and the WAP Network continue to work with the Best Practices group (a subsidiary of LEAN) to maintain up-to-date client education material that is relevant to both the DOE WAP and the utility-funded programs in Massachusetts.

Contractor Training:

DOE WAP PY 2025 T&TA funds may be used to train contractors at the Subgrantee level who participate in the Weatherization Assistance Program. The use of T&TA funds to reimburse contractors is limited to T&TA that supports the four (4) Home Energy Professionals occupations (Retrofit Installer Technician, Crew Leader, Energy Auditor, and Quality Control Inspector). All courses within this plan will be conducted through the Green Jobs Academy (Marlborough MA) which is both an IREC certified and BPI testing center.

Although BPI BSP & BA are not required by Massachusetts DOE WAP, Massachusetts EOHLC supports this training for its certification, and a vast majority of the income- eligible contractors that work on Utility-based programs. This will also increase the retention of these qualified contractors. DOE T&TA funds will only be used for the preparatory training which Massachusetts EOHLC/ECU feels is a valuable knowledge base for existing income-eligible contractors.

- 1) Cost of tuition – 100% or amount to the specified maximums.
- 2) Reimbursement will come either directly out of Subgrantees' T&TA allocation and/or Green Jobs Academy's (SMOC) allocation.
- 3) All Massachusetts DOE WAP contractors who are under Service Agreements with Massachusetts Subgrantees (CAP Agencies) will be eligible either to be reimbursed through the Agency they work for or attend for free through GJA until contractor allocations for each program year have been exhausted.
- 4) All Massachusetts EOHLC DOE WAP contractors sign service agreements with Subgrantees for services. Contractors must have all required licensing in Massachusetts and meet minimum insurance requirements set forth by Massachusetts EOHLC. Any Contractor registering through GJA for free tuition will be verified by GJA staff by contacting EOHLC/ECU.
- 5) Subgrantees must clearly communicate the T&TA reimbursement policies and procedures in a binding agreement with the contractor: See above Massachusetts EOHLC process.
- 6) All funds used for contractor reimbursements must be from the DOE WAP PY2024 T&TA budget line item: Reimbursement will come from Subgrantees (Agencies) and Green Jobs Academy T&TA.
- 7) Massachusetts DOE WAP EOHLC/ECU will not reimburse for time, travel costs, and/or other expenses incurred; only for the cost of tuition (100% or up to the set maximums).
- 8) PY2025 through Agencies T&TA – Each firm may be reimbursed \$3,500 maximum per Program Year.

PY2025 each Agency total for all Contractors - \$7,500 maximum per Program Year.

Maximums may be exceeded, if requested and approved by EOHLC/ECU. Also, agencies must stay within their budgeted allocation and staff needs are fulfilled.

- 9) Green Jobs Academy allocation – Each firm may be reimbursed \$5,000 maximum per Program Year.

Green Jobs Academy total for all Contractors - \$20,000 maximum per Program Year.

Maximums may be exceeded, if requested and approved by EOHLC/ECU. Also, GJA must stay within their budgeted allocation and Massachusetts DOE WAP training needs are fulfilled.

- 10) Exam fees per trainee: Any BPI testing fees will be the responsibility of the firm. Any re-taking of exams will be the responsibility of the firm.

- 11) All applicable prerequisites are required to take the Energy Auditor and Quality Control Inspector exams. These are the responsibility of the firm.

- 12) Reimbursement should be provided per a contractually agreed upon timeline following completion of the T&TA activity and includes any required submitted documentation: Standard N/30. Contractor invoice will include proof of payment and certificate of completion.

- 13) Agency responsibility: Each Agency will be responsible for ensuring that all required documentation is collected and includes: invoice, proof of payment, and certificate of completion. Each Agency must also maintain: a list of all participating Contractors, name of staff, classes attended, and dates of completion. This information will be readily available for review by EOHLC/ECU upon request and will be part of each Agency's annual program assessment.

Note: In making the determination to pay for Contractors' training, Subgrantees should secure a retention agreement in exchange for the training. The retention agreement should require that Contractors will work in the Program for a specific amount of time that equates to the value of the costs associated with the T&TA provided.

WAweb Training:

WAweb training began in Program Year 2023 just before the implementation date of July 1, 2024. EOHLC's plan is to get all current Massachusetts certified Energy

Auditors trained on WAweb. EOHLC will initially train one (1) Subgrantee Administrative staff and one (1) Subgrantee technical staff on WAweb. Those Subgrantee staff members who are already certified by EOHGLC for WA8.9.05 will need to complete a one (1) day training which will include a take-home practice exercise that will be reviewed by EOHLC technical staff. New Energy Auditors that have not been certified by EOHLC will need to complete a three (3) day training. After that, training will be on-going as needed for new hires. EOHLC technical field staff will also be available to conduct on-site refresher training at agency offices throughout the Program Year.

V.9 Energy Crisis and Disaster Plan

The primary energy-related crisis to face income-challenged households in Massachusetts is the breakdown or inefficiency of their heating system. EOHLC has a heating system repair, replacement, and maintenance program in place known as the Heating Emergency Assistance Retrofit Task Weatherization Assistance Program (HEARTWAP) to help address this problem. This program is funded by HEAP Conservation Set-Aside funds. During the heating season (October 1-April 30), the program serves primarily as an emergency intervention service to provide assistance to income-challenged clients having problems with the operation of their primary heating system. Eligible households call the local administering agencies and notify HEARTWAP staff when they are having a problem. Heating companies, under contract with the local agency, provide services necessary to keep the heating system operating efficiently and safely. The client's dealer of record is utilized whenever possible. Provisions are in place for clients to contact their dealer directly if the emergency occurs during evening, holiday, or weekend hours. During non-heating season (May 1-September 30), the HEARTWAP provides heating system maintenance and efficiency upgrade services subject to the availability of funds. HEARTWAP services include, but are not limited to, the following: emergency repairs, clean and tune, burner replacements, entire system replacements, fuel tank replacements, fuel line replacements, chimney liners (only as needed for heating system services) and asbestos abatement (only as needed for heating system services). The HEARTWAP has been refined by EOHLC staff over the past years of operation so that it is capable of dealing with most heating emergencies. As a result of the HEARTWAP, and the extensive availability of utility efficiency program funds in Massachusetts, EOHLC does not foresee the need to use DOE funds for heating system related issues.

In the event of a Federal or State declared disaster, Subgrantees may use DOE WAP funds to the extent that services are in support of typical eligible

weatherization work. Re-prioritization of eligible households that reside in the area is allowed provided that they meet one of the priorities identified in 10 CFR 440.16(b). The allowable expenditures are limited to allowable energy conservation, incidental repairs consistent with 10 CFR 440.18(d)(9), and health and safety measures 10 CFR 440.18(d)(15) in this State Plan. Prior to weatherization expenditures on a dwelling unit under this provision, the Subgrantee must determine that all insurance claims or other forms of compensation resulting from the damage incurred have been exhausted for the rehabilitation.

In the event of a Federal or State declared disaster within the Commonwealth of Massachusetts, Subgrantees may return to a dwelling unit that has been previously weatherized. If such dwelling unit has been damaged by fire, flood, or act of God and repair of the damage to weatherization materials is not paid for by insurance to re-weatherize consistent with 10 CFR 440.18(f)(2)(ii), the dwelling unit must be salvageable as determined by the local jurisdiction having oversight authority to receive weatherization services.

Please note that certain limits exist for such disaster area weatherization work. EOHLC has a suggested maximum WAP Health & Safety expenditure limit of \$2,500 per dwelling unit. A Subgrantee may expend more than \$2,500 in DOE WAP Health & Safety funds on a dwelling unit only with an approved waiver from the EOHLC ECU. In addition, the total per dwelling unit is \$6,500 as noted in the DOE WAP Application Instructions.

V.10 Dispute Resolution Process

The Subgrantee shall institute a procedure for notifying applicants who are deemed ineligible for WAP services on the basis of program eligibility. Such appeals process shall include an internal Contractor review for each such appeal and the opportunity for applicants to appeal further to the Executive Office, following an adverse finding by the Subgrantee. Applicants who are deemed ineligible for WAP services because they are not income eligible may appeal to the appropriate Massachusetts Home Energy Assistance Program (which may also be referred to as Massachusetts HEAP or Fuel Assistance) agency and make their appeal under HEAP requirements, as described in the current program year "HEAP Administrative Guidance for Program Operators" or such other administrative guidance as the Executive Office may provide.

The Subgrantee shall seek to ensure that all complaints from owners, tenants, contractors, or others of inadequate service are satisfied to the best of its ability within program limitations. The Subgrantee shall attempt to remedy complaints concerning incomplete or inadequate WAP measures, delays in providing services,

alleged damages caused during WAP work, receipt of a Deferral of Services Notice, and assistance to tenants experiencing problems with landlords related to WAP work by taking the most appropriate action in each instance, pursuant to the State Plan or such administrative guidance as the Executive Office may provide. The Executive Office shall provide instructions to Subgrantees concerning appropriate types of complaint resolutions and shall also serve as a resource for Subgrantees seeking to remedy a complaint. The Subgrantee shall maintain a log of all client complaints relevant to receipt of WAP services, during the term of the contract. At a minimum, the complaint log shall contain each complainant's name, date of the complaint, nature of the complaint, the Subgrantee response, and the final resolution of the complaint. A complainant whose complaint has not been satisfactorily resolved must be advised of the right to seek resolution at the State level. The Executive Office will not intervene, however, until all attempts by the Subgrantee to resolve a problem are unsuccessful. The Subgrantee's log shall be made available for inspection by the Executive Office's Energy Conservation Unit field staff, Energy Conservation Unit Supervisor, or by any other authorized representative(s) of the Executive Office. Applicants who are deemed ineligible (either temporarily or permanently) for WAP services because they have received a Deferral of Services Notice may appeal to the EOHLC ECU and make their appeal under "weatherization appeal" requirements, as described in the "Massachusetts Weatherization Policies and Procedures Manual," or such other administrative guidance as the Executive Office may provide.

A WAP client who is deferred in any capacity may request an appeal of the deferral. The appeals process is generally as follows: The appeals process requires a client initially appeal to the Subgrantee agency and offers the opportunity to further appeal to EOHLC if the client is not satisfied with the decision issued by the Subgrantee agency. Appeals must be made to the Subgrantee agency within twenty (20) working days of the date of any notice of program services deferral. Within twenty (20) working days of receiving an appeal request, the Subgrantee agency must generally: Schedule a Hearing if a Hearing has been requested by the client or has been deemed necessary by the Subgrantee agency, and send a notice to the client establishing the date, time, and location of the Hearing. Within ten (10) working days of the Hearing, the Subgrantee agency shall: 1. Reach a decision on the case; and 2. Notify the applicant of the final decision in writing, along with notice of the applicant's right to and procedures for appeal to EOHLC. In all other cases where a Hearing does not occur, the Subgrantee agency must: 1. Review and reconsider the client's deferral status; 2. Reach a decision on the case; and 3. Notify the client of the final decision in writing, along with notice of the client's right to and procedures for further appeal to EOHLC. Subgrantee agency appeals are accepted throughout the Program Year. Appeals to EOHLC of Subgrantee agency decisions will be handled throughout the Program Year by the EOHLC's ECU. Clients must appeal in writing to the EOHLC within twenty (20) working days of the date of

the final Subgrantee agency decision that includes the notice of appeal rights. All client files and information pertinent to the appeal will be reviewed, and the client and the Subgrantee agency will be notified of the decision in writing within twenty (20) working days of receipt of the complete client file.

The EOHLC requires all WAP clients to be notified of their right to appeal specific Subgrantee agency decisions in the Weatherization Assistance Program. Written notification of these rights must be given: 1. When the applicant first applies for assistance; 2. When a Subgrantee agency provides a client with a Deferral of Services Notice; and 3. When a Subgrantee agency issues a final decision of denial on an appeal.

V.11 Investigating Allegations of Fraud, Waste, and Abuse

The Subgrantee shall maintain and utilize systems and procedures to prevent, detect, and correct fraud, waste, and abuse in activities funded under this Contract.

The Subgrantee certifies its understanding that, pursuant to the OMB Super Circular at 2 CFR §200.113, it must disclose to the Executive Office, in writing to the attention of the Energy Conservation Unit Supervisor, whenever, in connection with the Contract funds (including any activities or subawards thereunder), it has credible evidence of the commission of a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of United States Code or a violation of the civil False Claims Act (31 U.S.C. 3729-3733). The Subgrantee must also report to the Executive Office, in writing to the attention of the Energy Conservation Unit Supervisor, matters related to Contractor integrity and performance in accordance with Appendix XII of 2 CFR §200. The EOHLC Energy Conservation Unit Supervisor will then forward all concerns to the EOHLC Legal or other EOHLC staff that handles energy efficiency related matters. The EOHLC Energy Unit Supervisor will then provide DOE with notice on any matter pertaining to fraud, waste, and abuse and/or any action or measure that needs to be taken to resolve the matter.

Failure to make the required disclosures may result in any of the remedies described in the OMB Super Circular at 2 CFR §200.339.