

**Vermont Department of Public Service**  
**ACCREDITATION PROCEDURE**  
**FOR**  
**HOME ENERGY RATING SYSTEM PROVIDERS**

Effective Date: October 29, 2021

**1. Purpose**

The Vermont Department of Public Service establishes this accreditation procedure for HERS providers in compliance with 21 V.S.A. § 267(a). The purpose of this procedure is to ensure that accurate and consistent home energy ratings are performed by accredited HERS providers in Vermont and to promote an objective, cost-effective, sustainable home energy rating process as a compliance method for residential building energy codes; as qualification for energy programs designed to reach specific energy saving goals; and as a way to provide Vermont’s housing market the ability to differentiate residences based on their energy efficiency.

**2. Accreditation Criteria**

HERS providers seeking accreditation in Vermont must submit an Accreditation Application to the Vermont Department of Public Service (“DPS”). In order to receive either initial or renewal accreditation, a HERS provider must meet the following minimum standards:

**2.1. RESNET Accreditation**

The applicant must be an accredited RESNET Home Energy Rating Provider in good standing and provide a valid RESNET accreditation identification number.

**2.2. Minimum Rater Training Standards:**

A HERS provider must adhere to the procedures developed and adopted by the Residential Energy Services Network (RESNET) for rater training and certification as described in Mortgage Industry National Home Energy Rating (MINHER) Standard, [Continuous Maintenance Version](#), Chapter 2.

Each person seeking a position with a HERS provider as a full rater, data collector, or data analyst shall receive training by a RESNET accredited rater training organization prior to performing rating tasks without supervision. The training shall be conducted by a RESNET accredited Training Provider in accordance with the RESNET National Home Energy Rater Training and Certifying Standard and shall include at a minimum the following features:

- a. Classroom training. Each rater shall receive classroom training provided through a RESNET Accredited Training Provider that meets the minimum standards as defined in Section 203 of the MINHER Standard.
- b. Written examination. Each rater shall pass The RESNET National Rater Test.

- c. Practical testing. Each rater shall pass the RESNET Combustion Appliance Simulation Test and the RESNET Rater Simulation Practical Test.
- d. Field training. After passing the RESNET tests above, the candidate shall complete five probationary ratings with a Rating Quality Assurance Provider overseen by a RESNET certified Candidate Field Assessor or Quality Assurance Designee.
- e. Probationary period. Each rater shall complete a probationary period where close supervision is provided. This period covers a minimum of five ratings, after which the supervisor shall determine if additional training is needed.
- f. Continuing education. Each rater shall attend a RESNET approved conference OR complete a minimum of 18 hours of RESNET approved professional development from a RESNET Accredited Training Provider during each 3-year period of certification.
- g. In addition to the continuing education requirements in f., above, Certified HERS Raters who have not completed any Confirmed, Sampled, or Threshold ratings within the three-year certification period shall successfully complete one RESNET graded-field evaluation overseen by a RESNET certified Candidate Field Assessor or Quality Assurance Designee.
- h. Recertification. Each rater shall be recertified at least every 3 years

**2.3. Operation Policies and Procedures** HERS Provider's Operation Policies and Procedures must be written and meet all the requirements of the current RESNET Standards and include a site data collection manual. The written Policies and Procedures must provide for the following:

- a. Ratings from plans. If the HERS provider performs ratings from plans, the rating must be labeled as "from plans." Such ratings may be used to demonstrate energy code compliance or programmatic qualification but must be confirmed through a field inspection upon completion of construction.
- b. Field inspection of all homes.
- c. Blower Door Test completed on all homes claiming credit for reduced air infiltration.
- d. Duct testing completed on all homes claiming credit for reduced air distribution system leakage.
- e. When applicable, improvement analysis given to homeowner shall include:
  - 1) Recommended improvements with the cost basis supplied for each recommendation by the HERS provider or the rater receiving quotes
  - 2) Estimated energy and cost savings of improvements based upon assumptions contained in the software program
- f. Written conflict of interest provisions that prohibit undisclosed conflicts of interest but allow waiver with advanced disclosure. For example, raters could be allowed to install measures recommended by the rating with advance disclosure to the homeowner and the HERS provider of financial and other interests.
- g. Written rater discipline procedures that include progressive discipline involving Probation - Suspension – Termination

- h. Written rater quality control process that contains provision for review of ratings and field evaluation of raters and ratings where problems are identified.
- i. A manual containing procedures for the on-site collection of data must be provided to data collectors.

#### **2.4. Minimum Technical Requirements for Home Energy Rating Software Programs**

Software used by accredited HERS providers must be a RESNET-accredited HERS® Rating Tool that has been tested and approved in accordance with [RESNET Publication-002](#) and is listed in the RESNET National Registry of Accredited Rating Software Programs (<https://www.resnet.us/providers/accredited-providers/hers-software-tools/>)

Energy analysis tools certified under this section must be retested and recertified if a new version of the tool is released that includes changes to the engineering algorithms.

### **3. Vermont Accreditation Process**

#### **3.1. Accrediting Body**

Vermont HERS provider accreditation is through the Vermont Department of Public Service.

#### **3.2. Where to File Accreditation Application**

A HERS provider seeking Vermont accreditation must file its application with the Vermont Department of Public Service. Upon receiving an application, the Department of Public Service will review the application using the accreditation standards set forth herein.

#### **3.3. Minimum Criteria**

HERS providers must meet the minimum accreditation criteria in Section 2 in order to receive Vermont accreditation.

#### **3.4. Review and Notification**

- a. Following receipt of the completed Accreditation Application, the Vermont Department of Public Service will review the submissions and issue a determination of whether the applicant meets the minimum accreditation standard. If the Department of Public Service grants the accreditation, this initial accreditation is valid for a period of three years from the date of issuance.

- b. If the Vermont Department of Public Service determines that the applicant does not meet the accreditation standard, it shall inform the HERS provider, identify where the applicant failed to meet the accreditation standard, and inform the applicant of its right to review under Section 6.

### **3.5. Responsibilities of Accredited HERS Providers**

The accredited HERS provider is responsible for ensuring that all of the ratings issued by the system comply with all of the criteria by which the system was accredited.

## **4. Renewal**

### **4.1. HERS provider application for renewal**

HERS providers seeking to renew their accreditation must complete and submit an Accreditation Application no later than 120 days prior to the expiration of the current three-year accreditation period, to assure the current accreditation does not expire prior to a final decision of the Department of Public Service. The Department of Public Service will process renewal applications in the same manner as an initial application.

### **4.2. Late Application**

Applications for renewal received later than specified in Section 4.1 will be processed, to the extent feasible, so that the accreditation does not expire. The Department of Public Service may grant an extension of the current accreditation period, for good cause, while a late application for renewal is pending.

### **4.3. Accreditation Renewals**

Applicants for accreditation renewal that continue to meet the minimum accreditation criteria of Section 2 will be granted an accreditation for a renewal period of three years. The Vermont Department of Public Service will issue a renewal of the unique HERS provider accreditation identification number.

### **4.4. Accreditation Not Renewed**

If the Department of Public Service denies an application for accreditation renewal, it will inform the HERS provider, identify where the applicant failed to meet the accreditation standard, and inform the applicant of its right to review under Section 6. When a HERS providers' renewal application has been denied, the current accreditation will not expire until the last day for seeking review of the final decision of the Department of Public Service or such later date as established by order of a reviewing court.

#### **4.5. Program Element Changes During Period of Accreditation**

It is the HERS provider's responsibility to provide the Department of Public Service with any proposed changes in the provider's minimum home energy rater certification procedures, minimum rater training standards, minimum rater certification standards, operation policies and procedures, information contained in the rating report or other information that effects its meeting the minimum accreditation criteria, prior to implementing such changes. Proposed changes will be evaluated by the Department of Public Service in the same manner as the original or renewal application. If the Department of Public Service determines the HERS provider no longer meets the accreditation criteria, the Department of Public Service may revoke the accreditation as provided in Section 5.

#### **4.6. Rating Tool Changes**

Should changes that affect the calculated results of the home energy rating occur in the engineering algorithms of the HERS provider's tool, the HERS provider must submit verification to the Department of Public Service that the tool continues to meet the BESTEST criteria and Section 2.4. If the Department of Public Service determines the HERS Provider no longer meets the accreditation criteria, the Department of Public Service may revoke the accreditation as provided in Section 5.

### **5. Revocation of Accreditation**

#### **5.1. Applicability of this section**

This section applies to revocation of accreditation during the period in which a provider is accredited. It does not apply to denial of an original accreditation application or to denial of accreditation renewal.

#### **5.2. For failure to correct deficiencies of HERS provider**

- a. If the Department of Public Service determines at any time that a HERS provider has failed to adhere to the accreditation requirements, the Department of Public Service shall notify the HERS provider of the specified deficiencies and identify specific corrective action required to meet the accreditation criteria. Within 30 days of the date of the notification of the deficiencies, the HERS provider may file a request for a hearing with the Vermont Department of Public Service or otherwise demonstrate compliance with all accreditation criteria.
- b. If, after opportunity for hearing, the HERS provider fails to demonstrate that the specified deficiencies have been remedied, the Department of Public Service may revoke the HERS provider's accreditation. The HERS provider will be required to cease representing themselves as accredited until such time as the HERS provider receives subsequent accreditation from the Department of Public Service.

### **5.3. For Cause**

The Department of Public Service may revoke the accreditation issued to any HERS provider if it determines, after opportunity for hearing, that the HERS provider no longer meets the accreditation requirements, or for cause, including but not limited to any of the following circumstances:

- a. Upon a determination by the Department of Public Service that a HERS provider has acted in such a manner as to impair the objectivity or integrity of the accreditation process including, but not limited to submission of false information to the Department of Public Service.
- b. Failure to submit any material information required to be submitted by the HERS provider, in connection with obtaining or maintaining accreditation;
- c. Knowingly or negligently issuing ratings that fail to meet all of the accreditation criteria;
- d. Misrepresentation by the HERS provider in advertising or promotional materials of its accreditation status in general or with respect to any service provided by the HERS provider;
- e. HERS provider goes out of business;
- f. Investigated and validated consumer complaints;
- g. Willful misconduct; or
- h. Failure to disclose a self-serving interest.

### **5.4. Extension**

A HERS provider which timely seeks review of a determination to revoke its accreditation may request that its accreditation be extended until a final decision on review is issued.

## **6. Review Procedures for Accreditation Application Not Being Approved**

### **6.1. Notification**

The Department of Public Service will provide notice that an accreditation application was not approved to the HERS provider by certified mail, return receipt requested. The notice will explain the basis for the determination and inform the HERS provider of the review procedures.

### **6.2. Review**

In the event that an accreditation application was not approved, the HERS provider shall have the right to request review of the determination by the Commissioner of the Department of Public Service. The HERS provider must request review within 30 days after the date of the notice. A request for review shall be in writing and sent by certified mail or other method, which provides evidence of delivery to the Department of Public Service and shall specify the basis for the request for review. The Commissioner may designate any employee of the Department of Public Service who was not involved in the initial determination to

issue a final decision on review. The Commissioner, or designee, may request additional information from the HERS provider prior to issuing a final decision on review.

## **7. Revision of Accreditation Procedures**

The Department of Public Service may revise or amend this accreditation procedure as warranted. Circumstances that may lead to such revision or amendment include but are not limited to the following: changes in law; technological innovations; and proposals for change from interested parties.

### **7.1. Process for submitting proposals to change accreditation procedures:**

Proposals to change these accreditation procedures may be submitted in writing, at any time, to the Department of Public Service. Proposals to change these accreditation procedures shall include the following:

- a. Identification of the proposal to change, including the following minimum information:
  - 1) Proponent(s) full name(s),
  - 2) Organizational affiliation(s) or representation(s),
  - 3) Full mailing address(es),
  - 4) Daytime phone number(s),
  - 5) Signature of primary proponent, and
  - 6) Date
- b. Specific revisions to the procedures in a format that clearly identifies the manner in which the procedures are to be altered (ie. underline/strikeout format or equivalent). Any proposal to change that does not include proposed alteration(s) may be rejected and returned to the proponent.
- c. Substantive reason(s) or justification for each proposed change. The lack of substantive justification for a proposed change may result in the return of the proposals to change to the proponent(s).
- d. Supporting documentation that may be needed for the reasoned evaluation of the proposal.