

Chapter 365-180 WAC

ENERGY MATCHMAKERS

WAC

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WAC 365-180-010 Authority. These rules are adopted under the authority of chapter 70.164 RCW.

[Statutory Authority: 1987 c 36. 88-02-042 (Order 88-01), § 365-180-010, filed 1/4/88.]

WAC 365-180-020 Purpose. To set forth the conditions and procedures under which funding will be made available to be used in combination with contributions to support local low-income weatherization programs.

[Statutory Authority: 1987 c 36. 88-02-042 (Order 88-01), § 365-180-020, filed 1/4/88.]

WAC 365-180-030 Definitions. (1) "Community" means the local program area served by the weatherizing agency.

(2) "Department" means the department of commerce.

(3) "Disadvantaged populations" means populations facing barriers to employment.

(4) "Energy matchmakers local coordinated plan" means a proposal(s) for use of funding for local low-income weatherization programs in a specific geographical area.

(5) "Family wage job" is defined as a job that pays, as a minimum, prevailing wage.

(6) "Low-income" means households at or below eighty percent of the state area median income. However, priority will be given to households at or below one hundred twenty-five percent of the federally established poverty level.

(7) "Nonutility sponsor" means an organization that is not an energy supplier and that submits a local coordinated plan.

(8) "Residence" means a house, including a stationary mobile home, an apartment, a group of rooms, or a single room occupied as separate living quarters; but excluding institutional buildings such as: A university, group care facility, nursing home, half-way residence, hospital, hotel, motel, etc.

(9) "Sponsor" means an organization that submits a match proposal as part of the energy matchmakers local coordinated plan.

(10) "Sponsor match" means the share, if any, of the cost of weatherization to be paid by the sponsor.

(11) "Weatherization" means materials or measures, including the education of the low-income household about energy saving behaviors in the home, and their installation or

application, that are used to improve the thermal efficiency of a residence.

(12) "Weatherizing agency" means a public or nonprofit private organization, approved by the department, responsible for doing all aspects of the weatherization work.

[Statutory Authority: RCW 70.164.040. 09-22-065, § 365-180-030, filed 11/2/09, effective 12/3/09. Statutory Authority: Chapter 70.164 RCW. 92-03-019 (Order 92-01), § 365-180-030, filed 1/7/92, effective 2/7/92. Statutory Authority: 1987 c 36. 88-02-042 (Order 88-01), § 365-180-030, filed 1/4/88.]

WAC 365-180-040 Program funding. The legislature determines the amount of funding available during a specific biennium for low-income weatherization. Each county receives a "planning estimate" based on the number of low-income households and the climatic conditions of the county. This "planning estimate" is available for low-income weatherization in each county if matching requirements are met. Contingent on the availability of funds, the department may award funds in an amount that exceeds the county's "planning estimate."

[Statutory Authority: 1987 c 36. 88-02-042 (Order 88-01), § 365-180-040, filed 1/4/88.]

WAC 365-180-050 Proposal for use of funding. (1) Any public or private organization in Washington, Idaho, or Oregon that conducts business in Washington state may propose funding for a geographical area(s) by submitting an energy matchmakers local coordinated plan.

(2) Plans submitted to the department shall be the result of local coordination and cooperation.

(3) Plans shall identify weatherizing agencies.

[Statutory Authority: 1987 c 36. 88-02-042 (Order 88-01), § 365-180-050, filed 1/4/88.]

WAC 365-180-060 Sponsor match. (1) Plans submitted by energy suppliers shall include a commitment of a matching contribution. Matching contributions can be either cash, in-kind contributions, or both. The match must cover half of the total cost of the low-income weatherization being proposed in the local area.

(2) Only resources that would not otherwise have been used for low-income weatherization will be considered as match.

(3) A sponsor may pay the sponsor match as lump sum at the time of weatherization, or make yearly payments over a period not to exceed ten years. When the sponsor elects to make yearly payments, the value of the payments shall be determined by the department, but shall not be less than the value of the lump sum that would have been made.

(4) All match committed shall result in:

(a) Increasing the number of residences weatherized;

(b) Increasing weatherization measures installed on or in the residence; or

(c) Otherwise increasing the thermal efficiency of the residence.

(5) The department may place a cap on the amount of match it will accept under subsection (4)(c) of this section.

(6) Match waivers may be granted by the department for plans submitted by nonutility sponsors.

[Statutory Authority: Chapter 70.164 RCW. 92-03-019 (Order 92-01), § 365-180-060, filed 1/7/92, effective 2/7/92. Statutory Authority: 1987 c 36. 88-02-042 (Order 88-01), § 365-180-060, filed 1/4/88.]

WAC 365-180-070 Local coordinated plan—Funding proposal process—Award of contracts. (1) A sponsor shall make a formal proposal using forms issued by the department.

(2) The employment requirements of RCW 70.164.040 (3)(e), apply only to individuals hired specifically to repair homes prior to weatherization, and to construct or install weatherization materials in low-income residences.

(3) A review team will evaluate the energy matchmakers local coordinated plans, and will be composed of persons with knowledge of energy conservation and of community-based public and private service organizations.

(4) Plans which include a commitment of matching resources will be given priority for funding.

(5) The department shall have the final discretion to award funds.

(6) The department will enter into a contract with weatherizing agencies identified in successful local coordinated plans. This contract shall be signed by an official with authority to bind the weatherizing agency and returned to the department prior to the release of any funds under this program.

[Statutory Authority: RCW 70.164.040. 09-22-065, § 365-180-070, filed 11/2/09, effective 12/3/09. Statutory Authority: 1987 c 36. 88-02-042 (Order 88-01), § 365-180-070, filed 1/4/88.]

WAC 365-180-080 Eligibility criteria for clients. (1) Total income of all household members shall be at or below one hundred twenty-five percent of the federally established poverty level; or households shall meet other qualifications established by the department for its low-income weatherization program.

(2) Residences shall meet the qualifications established by the department for its low-income weatherization programs.

[Statutory Authority: 1987 c 36. 88-02-042 (Order 88-01), § 365-180-080, filed 1/4/88.]

WAC 365-180-090 Program services. (1) Weatherizing agencies shall provide weatherization services to eligible low-income households in accordance with the "Washington state low-income weatherization assistance program procedures and guidelines" established by the department.

(2) No contribution may be required from the eligible household.

(3) Full levels of all cost-effective structurally feasible measures, as determined by the department, shall be installed when a residence is weatherized.

(4) No undue or excessive enhancement to a residence shall occur as a result of weatherization provided under this chapter.

(5) Before a leased or rented residence is weatherized, the department's "property owner/agency weatherization agreement" form, or subsequent special conditions established by the department when necessary to comply with applicable state or federal law, must be signed by the owner of the building or the owner's authorized agent. Through this form the landlord ensures that, at a minimum, during a period extending through one year following the date of completion of the weatherization work, the amount of rent will not be raised for any reason and during the period extending through three years following the date of completion of the weatherization work performed, rent will not be increased, nor the tenant evicted, as a result of the weatherization provided.

(6) Benefits of weatherization work performed on behalf of a low-income tenant shall accrue primarily to the low-income tenant.

[Statutory Authority: Chapter 70.164 RCW. 92-03-019 (Order 92-01), § 365-180-090, filed 1/7/92, effective 2/7/92. Statutory Authority: 1987 c 36. 88-02-042 (Order 88-01), § 365-180-090, filed 1/4/88.]