Department of Energy
Washington, DC 20585

SUBJECT: WEATHERIZATION OF RENTAL UNITS – Applicable to single family and multifamily dwellings

PURPOSE: To provide Grantees with updated guidance on weatherizing rental units in the Weatherization Assistance Program (WAP). The Department of Energy (DOE) has answered specific questions from Grantees related to the weatherization of rental units, regardless of housing type.

RELATED GUIDANCE: WPN 22-5, Expansion of Client Eligibility in the Weatherization Assistance Program, WPN 22-9, Managing Multiple Funding Streams within the Weatherization Assistance Program

SUPERSEDES: WPN 16-6, Weatherization of Rental Units and all information and materials in the Renters Policy Guidance of January 27, 1984, and the Renters Handbook issued in August 1984.

SCOPE: The provisions of this guidance apply to Grantees applying for financial assistance under the Department of Energy (DOE) WAP.

LEGAL AUTHORITY: Title IV, Energy Conservation and Production Act, as amended, authorizes the Department of Energy to administer the WAP. (42 U.S.C.§ 6861, *et. seq.*) All grant awards made under this Program shall comply with applicable law and regulations including the WAP regulations contained in 10 CFR 440.

BACKGROUND: The Department of Energy (DOE) is committed to serving renters under its Weatherization Assistance Program (WAP). Per 10 CFR 440.22, dwelling units eligible for WAP services include both owner occupied and renter occupied units. The Final Rule, published in the Federal Register on January 27, 1984, still stands.

GUIDANCE: Grantee must ensure that the benefits of weatherization to occupants of rental units are protected in accordance with 10 CFR 440.22(b)(3). Regardless of housing type, the Grantee's procedures for rental units shall ensure that:

- Written permission of the building owner or authorized agent is obtained before commencing work.

- Benefits of the services accrue primarily to the low-income tenants residing in such units.

- For a reasonable period of time after completion, the household will not be subjected to rent increases (unless those increases are demonstrably related to other matters other than the weatherization work performed).

- There are adequate procedures whereby the Grantee can receive tenant complaints and owners can appeal, should rental increases occur.

- No undue or excessive enhancement shall occur to the value of the dwelling unit.
  - A properly executed energy audit resulting in installation of common energy conservation measures (SIRs) with an SIR of 1 or greater with necessary health and safety and incidental repairs would not constitute an undue enhancement

In addition to following the regulations outlined in 10 CFR 440.22 and Section V.1.2 Approach to Determining Building Eligibility in the current Application Instructions, WAP Grantees should reference the "Weatherization of Rental Units" FAQs for DOE's position on issues and questions that arise when working with tenants and landlords. These FAQs are designed to be applicable regardless of housing type. The FAQs are broken into three specific areas:

- Administration
- Tenant/Landlord Agreements
- Eligibility, Intake and Certification

Each of these areas are relevant regardless of the type of dwelling. DOE recognizes there are additional provisions and instructions related to multifamily buildings. Grantees should reference the Multifamily Weatherization guidance (currently Weatherization Program Notice 22-12), for additional considerations related to that specific housing type.

CONCLUSION: Grantees with questions or concerns related to weatherizing rental units should contact their respective DOE Project Officer with any specific needs or requests for clarification.

ANNAMARIA GARCIA

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ANNAMARIA GARCIA
Date: 2022.09.14 09:27:03
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AnnaMaria Garcia
Program Director
Weatherization and Intergovernmental Program
Energy Efficiency and Renewable Energy

Attachment: Weatherization of Rental Units, Frequently Asked Questions