



U.S. Department of Energy
Office of Inspector General
Office of Audits and Inspections

Audit Report

The Department of Energy's
Weatherization Assistance Program
Funded under the American
Recovery and Reinvestment Act in
the State of Indiana



OAS-RA-11-13

August 2011



Department of Energy

Washington, DC 20585

August 23, 2011

MEMORANDUM FOR THE ACTING ASSISTANT SECRETARY FOR ENERGY EFFICIENCY AND RENEWABLE ENERGY

A handwritten signature in cursive script, appearing to read "Greg Friedman".

FROM: Gregory H. Friedman
Inspector General

SUBJECT: INFORMATION: Audit Report on "The Department of Energy's Weatherization Assistance Program Funded under the American Recovery and Reinvestment Act for the State of Indiana"

BACKGROUND

The Department of Energy's (Department) Weatherization Assistance Program (Weatherization Program) received \$5 billion under the American Recovery and Reinvestment Act of 2009 (Recovery Act) to improve the energy efficiency of residences owned or occupied by low income persons. Subsequently, the Department awarded the State of Indiana a 3-year Weatherization Program grant of \$131.8 million, representing a ten-fold increase over the \$12.3 million in funds available to the State for weatherization in Fiscal Year 2009. Indiana planned to use its Recovery Act funding to weatherize almost 20,000 homes. Indiana officials reported that as of March 2011, the Program had weatherized about 15,000 homes.

The Indiana Housing and Community Development Authority (IHCDA) administers the Weatherization Program grant through 31 local entities, including local agencies, nonprofit organizations, and units of local government. The largest Weatherization grant, almost \$42 million or roughly a third of the State's Recovery Act funding, was provided to the Indiana Builders Association (IBA), a nonprofit organization. Local entities are responsible for documenting eligibility, performing home assessments, providing weatherization materials and services, and conducting final inspections on completed homes.

Given the significant increase in funding and demands associated with weatherizing thousands of homes, we initiated this audit to determine if Indiana and three of its local agencies – Hoosier Energy Rural Electric Cooperative, REAL Services, Inc., and Indiana Builders Association (IBA) had managed the Weatherization Program efficiently and effectively.

OBSERVATIONS AND CONCLUSIONS

Our review did not reveal material problems with the State's management of the Weatherization Program and the three local agencies we visited. We did, however, identify opportunities for the State and IBA to improve the efficiency and effectiveness of their Weatherization Programs. Specifically, we found that IBA had not always:

- Maintained documentation to support weatherization material costs reimbursed by the IHCDA, even though it was specifically required to do so. For 22 of the 23 homes we

sampled, we found that contractors had requested reimbursement for "special circumstance charges." Such charges, totaling about \$8,000 for the homes we reviewed, included reimbursement requests for custom sized doors, window sealing, electrical fittings, and related labor that were not included in IBA's established price list. Payments were made without necessary supporting information because IHCDA had not enforced policies and regulations that require adequate documentation to support contractor billings; and,

- Taken action to ensure that dwellings had been disqualified from receiving Recovery Act funded services because they had received weatherization services in the past. The Recovery Act stipulates that Department funds may not be used on units that had been weatherized anytime after September 30, 1994. The information needed to enforce this requirement was limited, since IHCDA's database included only homes weatherized after 2000, and weatherization auditors employed by IBA did not take action to verify the source of any previous weatherization work performed on homes they assessed.

Cost of Weatherization Materials

We identified instances in which costs claimed by IBA and reimbursed by the Department were not adequately supported. Specifically, costs for 22 of the 23 homes we visited at IBA included one or more "special circumstance charges" for materials not listed on IBA's approved price sheet. Invoices provided a general description for the charges, but they did not include a product description, model number, or receipt of purchase. For example, one contractor charged about \$350 for a furnace "draft inducer motor" without any description of the item or receipt for the purchase. Draft inducer motors can range in price from as low as \$57 to as high as \$635 with an assembly kit. In another instance, a contractor billed about \$400 for a sliding door – the price on the established list– but added \$300 for labor and material costs. While we noted that the items had been procured and installed, we could not find documentation supporting the additional amount claimed.

Because billings consistently lacked documentation, we could not determine if the \$8,000 in special circumstance charges for items in the 22 homes were reasonable. IBA had informed IHCDA that items charged as special circumstances would be supported by a local cost comparison to ensure labor and material costs were reasonable. IHCDA officials indicated that they planned to review special circumstance charges during agency monitoring visits and to resolve any issues at that time. Since the invoices lacked sufficient detail to perform a reasonableness check, IHCDA would not have been able to review special circumstance charges. In the absence of documentation, we question \$8,000 in unsupported costs reimbursed to IBA for special circumstance charges.

IHCDA had not enforced policies and regulations requiring adequate documentation to support contractor billings. Office of Management and Budget Circular A-87 requires recipients of Federal funds to ensure that costs are necessary, reasonable, and adequately documented.

Eligibility of Homes

Neither IBA nor IHCDA had taken sufficient action to ensure that homes were not disqualified based on the prior receipt of weatherization services. The Recovery Act stipulates that

Department funds may not be used to re-weatherize homes that had been weatherized anytime after September 30, 1994. The State's database included only homes weatherized after 2000. IBA told us that its assessors should have requested pre-2000 records if the home revealed work that could be associated with prior weatherization. Department weatherization officials stated that policy clarification would be distributed to all affected Weatherization Program staff to remind grantees of their required compliance with the Recovery Act re-weatherization provision.

Impact of Problems Identified

The weaknesses we identified, if uncorrected, could increase the risk of fraud, waste, and abuse. Payments to contractors for improperly supported or ineligible homes reduce the availability of funds and could deprive qualified homes of needed services.

RECOMMENDATIONS

To achieve the objectives of the Recovery Act, we recommend that the Acting Assistant Secretary for Energy Efficiency and Renewable Energy ensure that the State of Indiana:

1. Establishes and enforces policies and procedures regarding costs incurred for special circumstance charges; and,
2. Develops a methodology to provide assurance that the Department's Weatherization Program funding is not used to weatherize homes/units that have received weatherization services after September 30, 1994.

We also recommend that the contracting officer resolve questioned costs for special circumstance charges.

MANAGEMENT COMMENTS

The Department concurred with the findings and recommendations contained in our audit report. Management noted that although the State had made a number of improvements, including modifying their Policy Advisory Council composition, providing additional training, and increasing oversight, there is more work to be done. The Department plans to evaluate actions taken by the State in response to our report and will focus on providing oversight to ensure that the State is improving documentation for "special circumstance charges" and developing formal weatherization policies and procedures, particularly in regard to re-weatherization of eligible homes.

The State of Indiana and the IBA which provided consolidated comments, generally agreed with our observations and conclusions. In response to our audit, the State noted that IBA had procedures for reviewing "special circumstance charges," however, IBA had not always documented the review results. Accordingly, the State will update its Weatherization Policies and Procedures Manual regarding maintaining receipts and documentation for "special circumstance charges," including documentation showing whether a cost comparison had been conducted. Regarding the re-weatherization of homes, the State noted that it had verbally advised sub-grantees of the requirements for determining an eligible home, including discussing

a standard process for verifying that no previous weatherization measures had been performed. In response to our audit, the State noted that it will provide sub-grantees with written guidance on the subject.

Management's actions are responsive to our recommendations. The Department's response, along with the State's comments, are included in their entirety in Attachment 3.

Attachments

cc: Deputy Secretary
Associate Deputy Secretary
Acting Under Secretary of Energy
Deputy Assistant Secretary for Energy Efficiency, EE-20
Chief of Staff

OBJECTIVE, SCOPE AND METHODOLOGY

OBJECTIVE

The objective of this audit was to determine whether the State of Indiana's Housing & Community Development Authority (IHCDA) had managed the Weatherization Assistance Program (Weatherization Program) efficiently and effectively.

SCOPE

This report contains the results of an audit performed between May 2010 and August 2011, at IHCDA and three of its community action agencies – Hoosier Energy Rural Electric Cooperative, REAL Services, Inc., and Indiana Builders Association. We performed site visits to one of the local agencies. An independent accounting firm under contract with the Office of Inspector General conducted site visits to two of the local agencies. Two homes selected as part of our audit could not be visited because weatherization services were deferred to a later date due to repairs that needed to be performed on the properties before weatherization services could begin.

METHODOLOGY

To accomplish the audit objective, we:

- Reviewed applicable laws, regulations, and guidance pertaining to the Weatherization Program under the American Recovery and Reinvestment Act of 2009 (Recovery Act); as well as policies, procedures, and guidance applicable to the State of Indiana's Weatherization Program;
- Interviewed community action agency State of Indiana officials to discuss efforts to implement the requirements of the Weatherization Program under the Recovery Act;
- Visited homes located across Indiana to assess the quality of work performed;
- Reviewed State monitoring reports and Energy Assistance Program applications for all weatherization clients in our sample; and,
- Reviewed documentation involving work performed for each of the clients in our review including labor, materials, and timeliness of work performed.

We conducted this performance audit in accordance with generally accepted Government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our finding and conclusions based on our audit objective. We assessed performance measures in accordance with the Government Performance and Results Act of 1993 and determined that performance measures were established for the Weatherization Program for

Indiana. Because our review was limited, it would not necessarily have disclosed all internal control deficiencies that may have existed at the time of our audit. We did not rely on computer generated data to perform the audit.

The Department waived the exit conference.

RELATED REPORTS

Office of Inspector General Reports

Under the American Recovery and Reinvestment Act of 2009 (Recovery Act), the Office of Inspector General has initiated a series of audits designed to evaluate the Department of Energy's Weatherization Assistance Program's internal control structures at the Federal, state, and local levels. Although not found in every state, these audits have identified issues in areas such as poor quality of weatherization services, inspections and re-inspections, inadequate inventory controls, and questioned costs resulting from the ineffective administration of the weatherization grants. Our series of audit reports include the following:

- Audit Report "[The Department of Energy's Weatherization Assistance Program Funded under the American Recovery and Act in the State of Wisconsin](#)" (OAS-RA-11-07, June 6, 2011)
 - Audit Report "[The Department of Energy's Weatherization Assistance Program under the American Recovery and Reinvestment Act for the Capital Area Community Action Agency – Agreed-Upon Procedures](#)" (OAS-RA-11-04, February 1, 2011)
 - Audit Report "[The Department of Energy's Weatherization Assistance Program under the American Recovery and Reinvestment Act for the City of Phoenix – Agreed-Upon Procedures](#)" (OAS-RA-11-03, November 30, 2010)
 - Audit Report "[Selected Aspects of the Commonwealth of Pennsylvania's Efforts to Implement the American Recovery and Reinvestment Act Weatherization Assistance Program](#)" (OAS-RA-11-02, November 1, 2010)
 - Audit Report "[The State of Illinois Weatherization Assistance Program](#)" (OAS-RA-11-01, October 14, 2010)
 - Audit Report "[The Department of Energy's Use of the Weatherization Assistance Program Formula for Allocating Funds Under the American Recovery and Reinvestment Act](#)" (OAS-RA-10-13, June 11, 2010)
 - Preliminary Audit Report "[Management Controls over the Commonwealth of Virginia's Efforts to Implement the American Recovery and Reinvestment Act Weatherization Assistance Program](#)" (OAS-RA-10-11, May 26, 2010)
 - Special Report "[Progress in Implementing the Department of Energy's Weatherization Assistance Program Under the American Recovery and Reinvestment Act](#)" (OAS-RA-10-04, February 19, 2010)
- Audit Report "[Management Alert on the Department's Monitoring of the Weatherization Assistance Program in the State of Illinois](#)" (OAS-RA-10-02, December 3, 2009)



Department of Energy
Washington, DC 20585

August 2, 2011

MEMORANDUM FOR: GEORGE W. COLLARD
 ASSISTANT INSPECTOR GENERAL FOR AUDITS
 OFFICE OF INSPECTOR GENERAL

FROM: KATHLEEN B. HOGAN 
 DEPUTY ASSISTANT SECRETARY
 FOR ENERGY EFFICIENCY
 ENERGY EFFICIENCY AND RENEWABLE ENERGY

SUBJECT: Management response to the Office of Inspector General's Report
 entitled "The Department of Energy's Weatherization Assistance
 Program Funded under the American Recovery and Reinvestment
 Act for the State of Indiana"

The Office of Energy Efficiency and Renewable Energy (EERE) appreciates the opportunity to review the Office of Inspector General's (OIG) Draft Audit Report "The Department of Energy's Weatherization Assistance Program Funded under the American Recovery and Reinvestment Act for the State of Indiana " and concurs with the report's recommendations. The Department of Energy (DOE or Department) is strongly committed to ensuring that each of the grantees under the Weatherization Assistance Program (WAP) performs high quality work that meets the goals of WAP and the American Recovery and Reinvestment Act of 2009.

In response to DOE's concerns and corrective action plans, the State of Indiana has made a number of improvements, such as modifying their Policy Advisory Council (PAC) composition, checking for Material Safety Data Sheets (MSDS) during in-progress monitoring visits, offering additional training to avoid incorrectly grounding furnaces as well as polarity reversal in SSU switches, in how it implements the WAP. However, as this report shows, there is work still to be done. During on-site quarterly visits, the DOE project officer will assess how the State is progressing in meeting the audit recommendations. The Department will continue to aggressively monitor progress in the areas identified by the Inspector General.

Additional responses are included below that address the specific recommendations in the draft report:



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Response to Inspector General Audit Report:

“The Department of Energy’s Weatherization Assistance Program Funded under the American Recovery and Reinvestment Act for the State of Indiana”

To address the deficiencies identified in our audit and to help ensure the success of the Indiana Weatherization Assistance Program, we recommend that the Acting Assistant Secretary for Energy Efficiency and Renewable Energy ensures that Indiana:

OIG Recommendation #1:

Establishes and enforces policies and procedures regarding costs incurred for special circumstance charges.

DOE Response:

DOE agrees with the OIG’s statement that pursuant to 2 CFR 225 (OMB Circular A-87), Grantees must ensure that all costs charged to the grant are necessary, reasonable, and adequately documented. The Indiana Housing and Community Development Authority (IHCDA) has included this requirement in the subgrantee contract with the Indiana Builders Association (IBA) in Section V.C., which reads, “Grantee shall maintain those books, records, and documents, including, but not limited to, payroll records, banking records, accounting records, and purchase orders, which are sufficient to document Grantee’s financial activities and Grantee’s claims for reimbursement under this Agreement.” Another provision in the subgrantee contracts regarding procurement is section III.J which states, “In making any procurement or entering into any contract that requires the expenditure of funds provided pursuant to this Agreement, Grantee shall adhere to the applicable provisions of 10 C.F.R. Parts 440 and 600, OMB Circular A-110, now reported at 2 C.F.R. Part 215, and IHCDA policies regarding procurement. Grantee shall use the State’s centralized purchasing system (“Centralized Purchasing”) to obtain weatherization materials, unless an exemption is granted by IHCDA.”

Given that 22 out of 23, or 96% of the client files reviewed lacked adequate documentation, it is apparent that IHCDA is not enforcing this provision during its monitoring visits to this subgrantee. The DOE Project Officer (PO) will provide oversight to IHCDA specifically to ensure that the above contract provision is enforced. The “special circumstance charge” is a feature unique to the subgrantee contract with the IBA because of their particular accounting system and how it interfaces with IWAP (the centralized database for tracking and reimbursing weatherization work performed in Indiana). Documentation of these “special circumstance charges” could not be produced when requested of IHCDA.

The PO has already discussed the matter with IHCDA in an attempt to find a workable solution to this situation. Ray Judy, the newly appointed Weatherization Technical Manager in IHCDA, has offered two possible approaches to address this matter. The first option presented, which Mr. Judy stated is the preferred option, is to require IBA to go through a proper bid procedure for any item of work performed that is not included in their price list. An alternative to performing a proper bid process would be to identify within IBA's Procedures Manual what qualifies as "special circumstances" items and require that charges for these items will be based on time and material with a set standard for an hourly rate. This information would be backed up with the appropriate material and labor invoices. Either of these DOE-acceptable processes would be monitored by IHCDA during regular scheduled monitoring visits.

DOE agrees that without adequate documentation, it is exceedingly difficult to assess reasonableness and necessity of these "special circumstance charges". It is unclear if these charges were appropriately entered into the energy audit and their effect on the measure and cumulative Savings-to-Investment Ratios (SIRs). The PO will work with the Contracting Officer (CO) and IHCDA to determine the reasonableness and necessity of these charges, review the costs and associated SIRs if not previously included, and make a determination if any costs should be disallowed. Furthermore, the PO will provide oversight with regards to IHCDA's implementation of the change to their subgrantee contract with IBA and subsequent monitoring to ensure IBA compliance with the new provision.

OIG Recommendation #2:

Develops a methodology to provide assurance that the Department's Weatherization Program funding is not used to weatherize homes/units that have received weatherization services after September 30, 1994.

DOE Response:

Section 504.3 (ARRA Reweathering) of the current IHCDA Weatherization Policies and Procedures Manual reads, "Sub-grantees may provide services to a dwelling unit previously weatherized prior to September 30, 1994, as noted in the American Reinvestment and Recovery Act of 2009. DOE gives sub-grantees the flexibility to revisit those homes weatherized prior to 1994 that may not have received the full complement of Weatherization services. Any unit reweatherized must be recorded in IWAP under reweatherization."

There is currently no **written** requirement by IHCDA that subgrantees check whether or not a home has been weatherized since September 30, 1994. The question is asked as part of the Low Income Home Energy Assistance Program intake process, which is then used as the eligible client list for weatherization in Indiana; however, there is no follow-up verification performed. If the auditor suspects that weatherization services have previously been rendered in a home, they have been instructed to check with the local agency that has historically provided

weatherization services to that area to inquire about any records pertaining to services previously provided. The expectation that the incumbent local agencies are to cooperate with these inquiries from IHCDA, or from new weatherization service providers, has been given verbally during WAP Managers' meetings; however, this expectation has never been codified in the subgrantee agreements or IHCDA's Weatherization Policies and Procedures Manual.

DOE agrees that this is a weakness in the Indiana weatherization policies and procedures. The PO will provide oversight and require that IHCDA include this verification requirement and interagency cooperation expectation in the subgrantees' contract and the IHCDA Weatherization Policies and Procedures Manual. Failure to comply with these provisions carry the same penalty reserved for non-compliance with the requirement to submit program and financial documentation to IHCDA or the United States Government upon request, specifically, "failure of Grantee to comply with any such request could result in immediate suspension of payments hereunder or termination of this Agreement by IHCDA." The PO will inform IHCDA that future observations of this practice will result in disallowed costs due to the pervasive nature of the problem.



July 18, 2011

George W. Collard
 Assistant Inspector General for Audits
 Office of Inspector General
 Department of Energy
 Washington, DC 20585

RE: Draft Audit Report of the Department of Energy’s Weatherization Assistance Program (“WAP”) Funded under the American Recovery and Reinvestment Act (“ARRA”) for the State of Indiana (the “Draft Audit Report”)

Dear Mr. Collard:

The purpose of this letter is to provide written comments on the facts presented, conclusions reached, and appropriateness of recommendations identified in the Draft Audit Report. This letter will also discuss any corrective actions taken or planned with respect to the recommendations contained in the Draft Audit Report.

OBSERVATIONS AND CONCLUSIONS

Indiana Housing and Community Development Authority (“IHCD”) and the Indiana Builders Association (“IBA”) generally agree with all of the observations and conclusions excepting the following statements:

- (1) “. . . weatherization auditors employed by IBA did not take action to verify the source of any previous weatherization work performed on homes they assessed.”; and
- (2) “Neither IBA nor IHCD had taken action to ensure that homes were disqualified based on the prior receipt of weatherization services.”

With respect to the first statement and to the contrary, sub-grantees were previously advised by IHCD to utilize the following process to ensure that homes that were previously weatherized after September 30, 1994 would not be re-weatherized:

- (1) When a sub-grantee enters a client’s address into the IWAP system, the system will identify whether the client’s home had been weatherized during or after 2000.
- (2) Auditors are instructed to ask each client whether his or her home has been weatherized after September 30, 1994. If the client’s answer to this question is “yes”, the auditor is instructed to defer the home.
- (3) Auditors are instructed to perform a visual inspection on each home to identify whether previous weatherization measures have been performed, and if evidence of such measures are discovered, the auditor is instructed to contact the community action agency that handles or previously handled the area in which the home is located to determine whether the home was previously weatherized by that community action agency.

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- (4) If no evidence of previous weatherization is discovered, the auditors are instructed to go forward with providing weatherization services to the home.

With respect to the first and second statement and to the contrary, IBA has a four (4) step process to verify that no previous weatherization measures were performed on a home.

- (1) The IBA call center is instructed to ask each client, whether his or her home has been weatherized since September 30, 1994 at the time the client calls in expressing an interest in having his or her home weatherized. If the client's answer to this question is "yes", IBA's call center immediately informs the client that his or her home is not eligible to receive additional services at this time and closes the client file.
- (2) When IBA staff enters a client's address into the IWAP system, the system will identify whether the client had been weatherized during or after 2000.
- (3) IBA auditors are instructed to ask each client whether his or her home has been weatherized after September 30, 1994. If the client's answer to this question is "yes", and they indicate that this has been done with through a federal program since Sept. 30, 1994, the IBA auditor defers the home and the client file is closed.
- (4) IBA auditors are instructed to perform a visual inspection on each home to identify whether previous weatherization measures were performed, and if such measures are discovered, the auditors are instructed to contact IBA to determine if it might have been previously weatherized by another provider. The auditor is directed to defer the home until a determination can be made as to whether the home has been previously weatherized with federal funds.

RECOMMENDATIONS

DOE Recommendation #1: Establish and enforce policies and procedures regarding costs incurred for special circumstance charges.

Response/Corrective Action Plan

IBA's current policy with respect to special circumstance charges is as follows: the IBA County Energy Manager reviews each request for a special circumstance charge and conducts a comparison to determine whether the price is appropriate for the special circumstance item. IBA's County Energy Manager generally looks online for comparables to determine whether costs are reasonable. IHCDAs also review the reasonableness of special circumstance charges during its monitoring. This review is typically conducted by comparing the pricing submitted to similar items listed online and by utilizing the IHCDAs monitor's extensive knowledge in the area of labor costs to determine the reasonableness of the labor costs associated with the charge. Unfortunately, neither organization printed copies of the information it reviewed to make the comparisons. Therefore, within sixty (60) days, IHCDAs will update its Weatherization Policies and Procedures Manual to indicate the need and necessity of sub-grantees maintaining receipts and documentation showing whether a cost comparison was conducted. Within sixty (60) days IHCDAs will issue a policy clarification memo on this topic. On July 13 through July 14 of 2011, the IHCDAs held its Semi Annual Manager's Meeting ("SAMM") for its ARRA WAP sub-grantees. In conjunction with IHCDAs's presentation during SAMM on July 14th, Paul Krievins, the Deputy Director of Energy Programs, discussed this topic and re-affirmed the importance of the sub-grantee maintaining receipts for these type of charges for items purchased that are not contained on the sub-grantee's price list and maintaining documentation showing that a cost comparison was conducted. Each sub-grantee had at least one (1) representative in attendance at the SAMM.



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DOE Recommendation #2: Develop a methodology to provide assurance that the Department's Weatherization Program funding is not used to weatherize home/units that have received weatherization services after September 30, 1994.

Response/Corrective Action Plan

Although IHCD's four (4) step process (set forth on page 1 of this letter) has been discussed with sub-grantees, it has not been provided to them in written format. Therefore, within sixty (60) days, IHCD will update its Weatherization Policies and Procedures Manual to add this policy in writing. Within sixty (60) days IHCD will issue a policy clarification memo on this topic. Additionally, on July 13 and July 14 of 2011, the IHCD held its Semi Annual Manager's Meeting ("SAMM") for its ARRA WAP sub-grantees. In conjunction with IHCD's presentation during SAMM on July 14th, Paul Krevins, the Deputy Director of Energy Programs, discussed and reinforced the importance of following the process described above to confirm that each home that it weatherizes has not been previously weatherized after September 30, 1994. Each sub-grantee had at least one (1) representative in attendance at the SAMM.

Thank you for your consideration of the responses provided above, if there are any questions please feel free to contact Paul Krevins, the Deputy Director of Energy Programs at pkrevins@ihcda.in.gov or myself at ssseiwert@ihcda.in.gov.



Sherry Seiwert
Executive Director
Indiana Housing and Community Development Authority

CC: Paul Krevins
Mark Young
Shawn Green



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