Oregon Housing & Community Services

State Home Oil Weatherization (SHOW) Program

Program Manual

Effective Date: September 10, 2018

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Program Summary

Oregon Housing and Community Services (OHCS) administers the State Home Oil Weatherization (SHOW) Program for the State of Oregon. The program is funded through an annual state assessment upon petroleum suppliers conducting business in distillate fuel oil in this state. The SHOW Program provides cash incentives for energy conservation measures to Oregonians who obtain their primary heating fuel from fuel oil dealers.

This program manual provides the guidelines and specific regulations regarding the administration and implementation of the SHOW Program. These guidelines apply to the program administrators and applicants of the program.

Authoritative Guidance

Statutory Authority: ORS 456.594 to 456.599

Oregon Administrative Rules: OAR 813-207-0000 to 813-207-0090

Program Contact

For more information regarding the application process or administration of the SHOW Program, contact:

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Attn: SHOW Program Coordinator

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Program Terminology

The following terminology is used in reference to the administration and application of the SHOW Program:

- ◆ <u>Applicant</u>: The dwelling owner, the contractor hired by the dwelling owner, or the program Grantee, who is applying on behalf of a low-income dwelling owner or tenant.
- ◆ <u>Cash payment</u>: A payment made by the Housing and Community Services Department to the dwelling owner or to the contractor on behalf of the dwelling owner for energy conservation measures. This includes a payment made to a program Grantee.
- ◆ <u>Contractor</u>: A person that installs or assists a dwelling owner to install energy conservation measures in a dwelling. This definition shall also apply to subcontractors.
- ◆ <u>Department</u>: The Housing and Community Services Department for the State of Oregon.
- ◆ <u>Director</u>: The department Director as appointed by the Governor.
- ◆ <u>Distillate fuel oil</u>: A petroleum product that is used for a variety of purposes, including but not limited to the operation of diesel engines and motors, space heating, and electric power

- generation. Common names for "distillate fuel oil" shall include but are not limited to dyed diesel #1 and #2, off-highway fuel, fuel oil, and heating oil.
- ◆ <u>Dwelling</u>: Real or personal property in Oregon inhabited as the principal residence of the dwelling owner or a tenant. This includes manufactured dwellings, floating homes, and single units in multiple-unit residential housing. This does not include recreational vehicles. For multiple-unit residential housing:
 - Single units that share common spaces (i.e. kitchens, living rooms, bathrooms) are to be considered one dwelling.
 - Single units with independent common spaces are to be considered separate dwellings.
- <u>Dwelling owner</u>: The person who has legal title to a dwelling and whose dwelling receives space heating primarily from a fuel oil dealer.
- ◆ Energy conservation items: This includes but is not limited to air sealing, weatherstripping, ceiling and wall insulation, crawl space insulation, vapor barrier materials, programmable thermostats, insulation of heating ducts in unheated spaces, and replacement windows.
- ◆ Energy conservation measures: This includes the installation of energy conservation items and the energy conservation items installed, where the items are primarily designed to improve the space heating and energy utilization efficiency of a dwelling.
- ◆ <u>Fuel oil dealer</u>: A person, association, corporation or other form of organization that supplies fuel oil at retail for the space heating of dwellings. Fuel oil dealers providing services to Oregon dwellings may operate business from states that share borders with Oregon. Fuel oil dealers may retail other alternative heating fuels in addition to fuel oil, such as propane and wood products.
- ◆ <u>Grantee</u>: A non-profit or public entity, which maintains a Grant Agreement with the department to be eligible for SHOW Program cash payments in exchange for providing energy conservation items and measures through weatherization assistance to eligible low-income households in Oregon at no cost to the dwelling owner or tenant. A Grantee may include a Community Action Agency.
- ◆ <u>Gross operating revenue</u>: The gross receipts from sales or service made or provided within Oregon during the regular course of the petroleum supplier's business, but does not include either revenue derived from interutility sales within Oregon or revenue received from the sale of fuels that are subject to the requirements of Article IX, section 3a, of the Oregon Constitution, or ORS 319.020 or 319.530.
- ◆ Household: Any individual living alone, a family with or without children, or a group of individuals who are living together as one economic unit.
- ♦ Household income: The total annual income of a household before taxes from all sources. Household income may be reduced by deductions allowed by the department. Household income does not include assets or funds over which the members of the household have no control. Income earned (i.e. wages) by household members ages 17 and younger or age 18 and enrolled in high school is not counted in household income. Income that exchanges hands within the household is not included in household income.
- ◆ <u>Low-income</u>: The total annual household income at or below 200% of the Federal Poverty Level, as established and provided by the U.S. Department of Energy.
- Measure cost: The actual cost of the energy conservation measures, which:

- Includes any incidental cost incurred for the installation of the energy conservation item, including but not limited to hardware, but does not include the cost of repairs;
- Includes the cost of labor for installation, if installed by a contractor or program Grantee;
- And does not include the dwelling owner's own cost of labor.
- <u>Petroleum supplier</u>: A petroleum refiner in Oregon or any person engaged in the wholesale distribution of distillate fuel oil in Oregon.
- <u>Program or SHOW Program</u>: The State Home Oil Weatherization Program administered by the department pursuant to OAR chapter 813, division 207, and other applicable law.
- ◆ Space heating: The heating of living space within a dwelling.
- ◆ <u>Tenant</u>: A person, including a roomer, entitled under a rental agreement to occupy a dwelling unit to the exclusion of others.

Program Funding

The Petroleum Supplier Assessment (PSA), as designated and allowed in Oregon Revised Statutes ORS 456.595 and 469.421(8), is the source of revenue for the SHOW Program. The statutes dictate specific guidelines through which the PSA should be administered to generate the revenue.

Assessment upon Petroleum Suppliers

The PSA is conducted upon those refiners and wholesalers conducting business within Oregon related to distillate fuel oil. Petroleum suppliers must declare all gross operating revenue for this assessment with the exception of sales of distillate fuel oil subject to Article IX, section 3a, of the Oregon Constitution, ORS 319.020 and 319.530.

The PSA must adhere to these restrictions:

- ◆ The annual aggregate assessment collected from all petroleum suppliers must not exceed \$400,000.
- ◆ The amount assessed to each petroleum supplier must not exceed 0.375% (0.00375) of the gross operating revenue reported on its submitted statement.
- ◆ The amount assessed to each petroleum supplier must be proportionate of its own gross operating revenue to the aggregate gross operating revenues reported by all petroleum suppliers.

Schedule of the Assessment

Prior to the beginning of a new fiscal biennium, the director of the department shall submit a budget to the Oregon Department of Administrative Services outlining each annual assessment amount for the SHOW Program to be integrated into the department's budget for Governor Approval. To conduct the PSA each year of the biennium, the department must supply and initiate three components:

- ◆ <u>Stakeholder engagement</u>: This is a public meeting through which the department may meet with essential SHOW Program stakeholders to provide a full accounting of the projected revenue needed and the projected allocation of funding.
- Gross Operating Revenue Statement: A form supplied to the petroleum suppliers on which they disclose their gross operating revenues of distillate fuel oil subject to the PSA.

• Order for payment: A department-issued order requiring payment by the petroleum suppliers upon their percentage of the assessment.

While the stakeholder engagement and Gross Operating Revenue Statement distribution dates are not explicitly outlined in statute, the department has created advised deadlines in order to successfully satisfy the remaining deadlines. The department shall conduct the PSA along the following timeline:

		May 1st		July 1st	
March 1st OHCS engages stakeholders		Suppliers submit Gross Operating Revenue Statements		Suppliers submit payment on orders	
	April 1st OHCS distributes Gross Operating Revenue Statements		June 1st OHCS distributes orders for payment		

To be in accordance with the statute, the PSA is to involve all petroleum suppliers engaging in distillate fuel oil sales in Oregon. Therefore, OHCS may conduct surveys and inquiries throughout the year prior to initiating the PSA in order to maintain an accurate and current listing of all suppliers. The program stakeholder meeting may also serve as a point of communication to outstanding suppliers. Suggested stakeholders to be involved with this meeting may include petroleum suppliers, fuel oil dealers, and their representative organizations.

Securing Program Grantees

To assist in outreach and providing services to low-income dwelling owners and tenants, the department may enter into Grant Agreements with eligible non-profit or public entities that provide energy conservation items and measures through no-cost weatherization assistance. In exchange for providing these services, program Grantees are eligible to apply for cash payments. Official listings of all program Grantees shall be available on the department's website and at the request of the department. Inquiries about application for Grantees' programs should be directed to individual Grantees.

The department shall follow procedures outlined in OAR chapter 813, division 006, and shall strive to procure Grant Agreements in an equitable manner to obtain service territory across Oregon. Amounts awarded to each program Grantee may be based on historical use and projected need within the affected service territory.

Eligible Applicants

There are three categories of applicants who may become eligible for the SHOW Program. These three categories include:

- <u>Dwelling owners</u>: Persons who have legal title to a dwelling and whose dwelling receives space heating primarily from a fuel oil dealer.
- <u>Contractors</u>: Persons that install or assist a dwelling owner to install energy conservation measures in a dwelling; these persons also include those classified as subcontractors.
- ◆ <u>Program Grantees</u>: Non-profit or public entities, which maintain Grant Agreements with the department to be eligible for SHOW Program cash payments in exchange for providing energy conservation items and measures through weatherization assistance to eligible low-income households in Oregon at no cost to the dwelling owner or tenant.

To become eligible for the SHOW Program, applicants must satisfy ALL of the following requirements:

- ◆ The respective dwelling, which must be real or personal property in Oregon, must be considered the primary residence of either the dwelling owners or their tenants.
 - Allowable dwellings may include detached homes, attached homes or apartments, manufactured dwellings, and floating homes.
 - Recreational vehicles are not eligible.
- ◆ The respective dwelling must be heated primarily from a fuel obtained from a fuel oil dealer at the time of application.
 - Fuel oil dealers are those who retail distillate fuel oil (i.e. heating oil, dyed diesel)
 - Other fuels retailed by fuel oil dealers are considered alternative fuels
 - Natural gas, electricity, and other fuels not retailed by fuel oil dealers are not eligible
- ◆ The applicant must complete eligible energy conservation measures (as indicated in *Eligible Energy Conservation Measures*) upon the respective dwelling.

<u>Application Procedure</u>

Applications for the SHOW Program shall be available from the department on its website. Applicants may also request applications in-person and through mail or fax. Only complete, eligible applications submitted to the department will be considered for SHOW Program cash payments.

Application Submission and Waiting List

Applicants must submit a completed SHOW Program Cash Payment Application to the department via mail, fax, or in-person delivery. The department will date-stamp the applications on receipt prior to distribution to the Program Coordinator. The Program Coordinator will review applications by order of the date-stamp receipt and will request additional documentation from applicants as needed. All applicants will be informed with a decision regarding their applications by mail. Cash payments, if awarded, will be issued by the department in the form of checks.

SHOW Program funding will determine the availability of cash payments. The SHOW Program funding year operates from July 1st through June 30th. The department will announce any

reductions of funding or inabilities to award cash payments on its website. In the case of depleted funding, any applications received by the department will be placed on a waiting list and prioritized based on the date-stamp receipt. Once funding becomes available, those applications on the waiting list will be served first, in date-stamp order, and then continue to applications as they are received by the department.

Complete Application Summary

To be considered a complete application, the following summary identifies all required parts of the SHOW Program application:

- ◆ Most recent version of the SHOW Program Cash Payment Application
 - The most recent version will be available on the department's website and, at request, by the department.
 - All sections of the application must be completed to the fullest extent possible.
 - Incomplete applications will be delayed in processing to await receipt of additional documentation upon request by the Program Coordinator.
- ◆ Proof of purchase or delivery of alternative fuels obtained from fuel oil dealers
 - If distillate fuel oil (i.e. heating oil, dyed diesel) is not indicated on the application as the primary heating fuel, proof of purchase or delivery is required.
 - Alternative fuels include but are not limited to kerosene, propane, and wood.
- Receipts or itemized billing statements of all claimed measures
 - Receipts must detail how the measures meet eligibility (as indicated in *Eligible Energy Conservation Measures*), including the item installed, the cost of the individual measure, and the final efficiency value.
 - All measures must be marked paid in full.
- ◆ <u>US Department of Revenue's Form W-9</u>
 - This form is required for dwelling owners and contractors only.
 - Potential cash payments per applicant exceed the maximum dollar amount for which reporting is not required.
- ♦ Household income documentation
 - Documentation is required for applicants applying for Tier 1 payments (as indicated in Cash Payment Tiers and Requirements).
 - Program Grantees may substitute documentation with a summary of verification used to qualify household eligibility.
 - If the applicant is not the occupying household, documentation may be submitted separately or in a sealed envelope with the application.

Cash Payment Tiers and Maximums

There are two tiers of cash payments available to applicants of the SHOW Program. Eligibility for Tier 1 cash payments is determined by the total household income of the dwelling occupants (i.e. dwelling owner or tenant) at time of application. Submission of household income documentation is not required to be eligible for Tier 2 payments.

Applications will be reviewed based on date-stamp submission rather than tier qualification. However, the Director of the department may designate a percentage of program funds

specifically for the purposes of awarding cash payments to applicants who are low-income or who represent low-income dwelling owners or low-income tenants.

Tier 1 Cash Payments

Cash payments of Tier 1 are available to eligible applicants who are low-income or who represent low-income dwelling owners or low-income tenants. Low-income is defined as total annual household income at or below 200% of the Federal Poverty Level as established by the U.S. Department of Energy. Up to 60% of the energy conservation measure costs (as indicated in *Eligible Energy Conservation Measures*) may be counted towards total cash payments. Cumulative measure costs have the following established maximums per measure category:

- ◆ Up to \$3,200 for eligible fuel oil-powered heating equipment measures.
- ◆ Up to \$800 for eligible heating duct measures.
- ◆ Up to \$1,000 for eligible insulation measures completed per dwelling envelope region (ceiling, subfloor, and wall), for a total across all regions of \$3,000 overall.
- ◆ Up to \$1,500 for eligible windows and doors measures.

Tier 2 Cash Payments

Cash payments of Tier 2 are available to eligible applicants whose household income is above low-income or who represent dwelling owners or tenants whose household income is above low-income. Tier 2 is to be considered the default for eligible applicants who choose not to disclose household income verification. Up to 30% of the energy conservation measure costs (as indicated in *Eligible Energy Conservation Measures*) may be counted towards total cash payments. Cumulative measure costs have the following established maximums per measure category:

- ◆ Up to \$1,600 for eligible fuel oil-powered heating equipment measures.
- ◆ Up to \$400 for eligible heating duct measures.
- ◆ Up to \$500 for eligible insulation measures completed per dwelling envelope region (ceiling, subfloor, and wall), for a total across all regions of \$1,500 overall.
- ◆ Up to \$750 for eligible windows and doors measures.

Lifetime Maximum Payments

Total cash payments awarded over the lifetime of the SHOW Program for all measures upon a single dwelling may not exceed \$8,500, which is the maximum cumulative total of Tier 1 cash payments. All household members of the dwelling are considered one applicant. The aggregate total of awarded cash payments is based on the dwelling rather than the applicant. Dwellings with previously awarded SHOW Program cash payments may still be eligible for the difference between the previous award and the maximums indicated above.

Eligible Energy Conservation Measures

There are four categories of eligible energy conservation measures for the SHOW Program, of which are indicated below:

Heating Equipment Measures

These measures relate to the equipment used to produce heat for the dwelling, including the new heating equipment, replacement parts, repair costs, and thermostat. The following measures and

respective requirements apply to distillate fuel oil-powered heating equipment measures in relation to eligibility for SHOW Program cash payments:

- ◆ New distillate fuel oil-powered heating equipment that replaces existing units.
 - These units must comply with current U.S. Department of Energy Annual Fuel Utilization Efficiency (AFUE) standards for Oregon (according to 10 CFR 430.32).
 - Equipment may include but is not limited to distillate fuel oil furnaces, stoves, and boilers.
- Replacement burners, electrical controls, and combustion chambers.
- Other measure costs required to ensure heating equipment is operational in a safe and efficient manner.
 - These costs may include but are not limited to repair of fuel lines, tanks, and ductwork.
 - These costs shall not include annual maintenance or servicing.
- ◆ Programmable thermostats.

Heating Duct Measures

These measures are conducted upon the ductwork that circulate heated air from the equipment and return unheated air to the equipment, as well as the insulation and sealing process related to the ductwork. The following measures and respective requirements apply to heating duct measures in relation to eligibility for SHOW Program cash payments:

- ◆ Insulation of ducts and plenums in unheated spaces; this must be to a minimum of R-11 or to the greatest extent possible.
- ◆ Duct sealing and insulation; this must meet Performance Tested Comfort Systems (PTCS) specifications.

Insulation Measures

These measures include the insulation and other incidental costs incurred therein added to the three dwelling envelope regions, including the ceilings, subfloors, and walls. The following measures and respective requirements apply to insulation in dwelling envelope regions in relation to eligibility for SHOW Program cash payments:

- ◆ Ceiling insulation; this must be to a minimum of R-38 or fill the cavity.
- ◆ Subfloor insulation; this must be to a minimum of R-25 or fill the cavity.
- ◆ Wall insulation; this must be to a minimum of R-21 or fill the cavity.
- Other incidental costs related to insulation.
 - These costs must be necessary to meet code requirements.
 - Incidental costs may include but are not limited to ventilation and support systems.

Window and Door Measures

These measures include the replacement and weatherization of external windows and doors. The following measures and respective requirements apply to window and door measures in relation to eligibility for SHOW Program cash payments:

- Replacement windows and storm windows.
 - Each window must have a minimum insulating U-factor of 0.30.
 - In the case where window replacement is not possible, pre-assembled glass storm windows may be installed.

- Replacement exterior doors.
 - Exterior doors not made of glass must have a solid core and be weatherized.
 - Sliding glass exterior doors must have a minimum insulating U-factor of 0.30.
 - Exterior doors are those in which separate unheated spaces (including garages and basements) from heated, living spaces.

Preventative Air Sealing Measures

These measures include the installation of weatherstripping, caulking, spray foam, and other materials used to prevent air from infiltrating into and escaping out of a heated dwelling. Measure costs are to be divided across all applicable, eligible measures and count towards those measure maximums (see *Cash Payment Tiers and Maximums*).

Measure Specifications

Dwelling owners and contractors applying for SHOW Program cash payments must submit applications for measures no more than one year from the date of the installation. Program Grantees must submit applications for measures no more than three months from completion of the project. Exceptions may be provided by the department on a case-by-case basis.

The following specifications apply to multiple-unit residential housing in relation to applied measures:

- Measures are not required to be uniform across all individual dwellings in a multiple-unit residential housing building.
- ◆ Applications shall only include those dwellings for which measures were applied.
- ◆ For common or shared measures (heating systems, insulated dwelling envelope regions, etc.), measure costs shall be prorated by the square footage of each unit affected to the total square footage served by the measures.
- For dwellings housed among commercial space, the same specifications apply as indicated above in regards to only residential square footage.

In relation to the proration of measure cost in common or shared situations, the following example applies for guidance purposes:

The applicant installs insulation in the subfloor of a duplex. Considered as two dwellings, the applicant will take the total cost of insulation and divide it by two. The total is the claimed cost of measure on each application.

Measures used to eliminate the use of fuel obtained from a fuel oil dealer are not eligible for the SHOW Program. Such measures prohibited through this program may include but are not limited to installing a natural gas furnace and disconnecting the fuel oil tank to discontinue use.

Household Income Verification

Household income verification is only required for applicants choosing to qualify for Tier 1 cash payments. Applicants choosing not to disclose income verification on behalf of themselves or their dwellings' occupants are not required to submit documentation. Program Grantees only need to supply a summary of verification as used for eligibility in their own programs, such as a copy of the income eligibility intake paperwork or data system printout. Complete applications and supporting documentation for applicants of both Tier 1 and Tier 2 cash payments will remain confidential with the department throughout the duration of file retention until securely shredded.

The following highlights shall be considered related to declaring household income:

- ◆ Household income includes all sources of income, before taxes, of all household members occupying the dwelling at the time of application.
- ◆ The household includes all members residing together as one economic unit, including individuals, families with or without children, and roommates or boarders.
- ◆ Earned income (i.e. wages from employment) by household members ages 17 and younger or age 18 and enrolled in high school *is not counted* as household income.
- ◆ Income received by or on behalf of (i.e. social security benefits or child support) household members ages 17 and younger or age 18 and enrolled in high school *is counted* as household income.
- ◆ Household income must be declared consistently by the entire household for either:
 - The *full calendar month prior* to the date of the application; or
 - The *last 30 days prior* to the date of the application.

Types of Income

The following types of income must be declared if received by any member of the household as household income, using copies of the listed documents for income verification:

Type of Income	Required Documentation
Child support or	Court order or statement from person paying
alimony	
Dividends, interest,	Letter or statement from corporation/bank, check stub, or bank statement
or annuities	
Earned income or	Pay stubs (not the check) from each payday during the month or statement from
wages	employer indicating gross wages
Foster care support	Official state and/or court documents
or adoption	
assistance	
Military pay	Leave and earnings statement; benefits must be claimed whether member is
	deployed or not deployed
Real property income	Receipt of payment from tenant for all rental due dates during the month
Regular cash gifts	Written statement from person providing support or proof of payment
Retirement or	Letter or statement from corporation/employer, check stub, bank statement, or
pensions	1099 tax statement; benefits claimed on behalf of spouses must be claimed
Self-employment	Completed Statement of Self-Employment Income, including proof of all income

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income	generated during the month and deductible receipts
Social security,	Current benefit award letter (SS, SSI, SSD), printout of online award statement,
supplemental, and	letter or statement from Social Security Administration with current amount, SSA
disability income	1099 tax statement with documentation for current year's increase, Department of
	Human Services (DHS) benefits and income printout, or bank statement; benefits
	received on behalf of children must be claimed
Temporary	Letter or statement from Department of Human Services (DHS) office or statement
Assistance for Needy	of card deposits
Families (TANF)	
Tribal assistance	Per capita statement, check stub, or bank statement
Unemployment	Letter or statement from employment office or printout of unemployment
	payments for each week of the month (showing gross benefits)
Veterans' benefits	Current benefit award letter, letter or statement from Department of Veterans'
	Affairs, check stub, or bank statement
Workers'	Current benefit award letter, letter or statement from corporation/provider, check
compensation	stub, or bank statement

In relation to the consideration of household income, the following examples apply for guidance purposes:

The applicant applies for a Tier 1 cash payment on July 15th. The household is composed of a retired adult and his/her adult child, who both need to declare their income. The retired adult receives social security retirement benefits every month on the 5th. The adult child works full-time and receives wages every other Friday.

For the previous full calendar month (June 1st-June 30th): Documentation copies will include the social security award letter for benefits received on June 5th and paystubs for checks received on June 1st, 15th, and 29th.

For the previous 30 days (June 15th-July 14th): Documentation copies will include the social security award letter for benefits received on July 5th and paystubs for checks received on June 15th and 29th and July 13th.

The applicant receives social security benefits on behalf of a child in the household (age 3) who is disabled. The applicant must claim the benefits as household income.

Documentation copies include the social security award letter for benefits.

The applicant receives retirement benefits on behalf of the deceased spouse.

The applicant must claim the benefits as household income.

Documentation copies include the letter for benefits.

Income Guidelines

To qualify for Tier 1 cash payments, applicants' household income must be at or below 200% Federal Poverty Level, as established by the U.S. Department of Energy. The income guidelines are available from the U.S. Department of Energy.

Installation Warranty Requirements

Applicants (contractors and program Grantees only) who provide energy conservation measures on behalf of dwelling owners and tenants must provide warranty of installation. The same stipulation applies for the contractors and sub-contractors of the applicants. The following requirements must be met in relation to the installation:

- ◆ The installer must be registered and active with the Oregon Construction Contractors Board.
- ◆ The installer must have current certifications in good standing for all applicable federal, state, and local licenses.
- ◆ The installer must provide warranties on labor and installation of energy conservation measures for up to one year after the installation date. The installer shall pass on any warranties on materials, manufacturing process, and design to the dwelling owner.

Remedies and Repayment of Falsified Applications

Applicants who knowingly make false statements or misrepresentations of any factor with respect to eligibility or applicants who falsify application materials shall repay all SHOW Program cash payments paid to them under the false information. The remedies provided for in this rule are in addition to any civil or criminal fines or penalties applicable under law, including any applicable provisions of federal, state, or local law. Failure to follow these rules will make the applicants ineligible for future eligibility under the SHOW Program.

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