

Maine Consumer Protection Plan

Inflation Reduction Act (IRA) Home Electrification and Appliance Rebates (HEAR) Program (IRA Section 50122)

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1. General

Maine’s HEAR Consumer Protection Plan will meet the following general requirements set forth in Section 3.2.5 of the Program Requirements and Application Instructions:

- a. **The Consumer Protection Plan will be readily accessible on the Efficiency Maine website (www.efficiencymaine.com) to all program participants affected by it, including implementers, participating contractors, eligible entity representatives, homeowners, and building owners.**
- b. **Efficiency Maine will ensure that agreements are executed with participating contractors in which the party agrees to comply with the Quality Assurance (QA) plan and procedures.**
- c. **Efficiency Maine will retain records related to Maine's QA processes and permit access to the Department of Energy (DOE) upon request.**
- d. **Maine will review its Consumer Protection Plan at least every 2 years, adjust it based on lessons learned and program performance, and communicate changes to contractors and DOE.**

2. Consumer Feedback

Maine’s HEAR Consumer Protection Plan will maintain a system for collecting and responding to consumer feedback that:

- a. **Allows households to file complaints, concerns, and issues directly to the implementer(s).**

HEAR Program participants can leverage Efficiency Maine’s robust, established channel for communicating complaints, concerns, and issues – the toll-free Efficiency Maine Call Center. Participants

can reach the Call Center by phone (866-376-2463) or email (info@efficiencymaine.com). Call Center staff will direct these communications to the appropriate Efficiency Maine program staff and/or implementation contractor.¹ All calls are recorded. This mechanism is available to program participants and non-direct participants (i.e., multifamily building residents who are not the direct program participant).

b. Contains procedures for addressing negative feedback, including how programs will communicate the feedback to affected contractors or aggregators.

Upon receiving negative feedback relating to broader program design, program protocols, or potential program noncompliance, Efficiency Maine will follow up with the source of the feedback as appropriate to attempt to resolve any immediate issue, where possible. Efficiency Maine program staff and/or the implementation contractor will keep records of all associated communications in a digital folder with a corresponding summary spreadsheet tracker, and review that information at periodic check-in meetings. Where negative feedback is relevant to the broader program design or protocols, Efficiency Maine will consider implementing formal adjustments. Where the negative feedback involves a customer/participant dispute that is unrelated to program noncompliance, Efficiency Maine will defer resolution to the parties involved.

c. Includes a requirement that a consumer satisfaction survey be sent to the household at least 3 months and no more than 6 months after the project's completion date. At a minimum, the survey must include the questions listed in Appendix B. States may add additional questions.

Efficiency Maine will provide consumers with an option to complete a customer satisfaction survey no sooner than three (3) months post project completion. The survey will be inclusive of, and not limited to, the questions listed in Figure 1 below.

As part of the customer application process, Efficiency Maine will inform customers that they will receive a survey three (3) to six (6) months after project completion and ask customers how they wish to receive the survey (via an email invitation, by a phone call, or by receiving a survey through the U. S. mail which would include a prepaid postage return envelope for their survey submission). No additional attempts for survey collection will be made after six (6) months.

¹ Throughout this document, the term “implementation contractor” refers to a contracted third-party delivery team that runs some portion of the HEAR Program at the direction of Efficiency Maine. This is distinct from a “trade ally” contractor installing equipment (i.e., a Residential Registered Vendor [RRV] or a Qualified Partner [QP]).

Figure 1: Consumer Satisfaction Survey Questions

Question	Scale
It was easy to understand the rebate requirements and provide the needed information	Scale: Strongly Disagree = 1, Strongly Agree = 5, (include "Don't Know" and "Not Applicable")
It was easy to find a contractor/retailer	
The contractor/retailer provided a high-quality of service	
The rebate was a major reason for my purchase	
My new efficiency upgrades perform well	
My home is more comfortable than it was before the new efficiency upgrades	
My energy bills are lower since the new efficiency upgrades	
Overall, I am satisfied with my experience with the [Rebate name] program	
I would recommend this program to a friend or family member who could use it	
I plan to do more to save energy in my home because of my experience with this program	

3. Resolution Procedures

Maine's HEAR Consumer Protection Plan will maintain or adhere to the following items as part of its resolution procedures:

- a. **A written conflict resolution procedure that documents how disputes will be resolved between homeowners and contractors, or aggregators. The procedure shall include protocols for a timely response, identification of responsible parties, documentation of corrective actions, results, and a means of identifying and addressing systemic issues.**

All contractors participating in the HEAR Program must be an Efficiency Maine-certified trade ally; Qualified Partners (QPs) serve the commercial sector (including multifamily) and Residential Registered Vendors (RRVs) serve the residential sector.

Where the dispute involves (1) non-compliance with Efficiency Maine's QP or RRV terms and conditions for participation or (2) non-compliance with the relevant program guidelines, Efficiency Maine will facilitate conflict resolution. Upon receiving information about non-compliance, Efficiency Maine will gather the appropriate information and identify the responsible parties. Where the contractor is deemed responsible and the issue is resolvable, they will perform a corrective action within 30 days of notification. Two weeks before this due date, Efficiency Maine will send written notice to the contractor reminding them of the resolution due date and warning them of potential suspension (see Section 7(d) below for further detail) if they fail to perform the corrective action. The contractor will confirm completion with Efficiency Maine, whereby Efficiency Maine will document the corrective action(s) and results in its project and reporting and tracking database (effRT). Efficiency Maine will review all recent instances of non-compliance as part of its periodic program check-ins, allowing for staff to identify systemic issues and suggest program changes as necessary.

- b. A remediation process to ensure that when deficiencies are detected through the inspection process these results are communicated to the responsible party and any remedial or punitive actions taken follow a pre-defined set of protocols, which must be described in the plan.**

If deficiencies are detected through the project inspection process, Efficiency Maine will communicate these results to the responsible QP or RRV and request that they perform a corrective action. This process will follow the same conflict resolution protocols described in 3(a) above. If the contractor fails to comply, Efficiency Maine will follow the relevant QP or RRV suspension and termination protocols outlined in Section 7 below.

- c. A requirement to maintain records on QC inspections including sampling rates, findings, corrective actions taken, and verification of conformance to requirements.**

Efficiency Maine retains all relevant inspection records in its project reporting and tracking database (effRT). This includes sampling rates, findings, corrective actions taken, and verification of conformance to requirements.

- d. Required Contract Provisions.**

All contracts related to the HEAR-funded project cannot contain mandatory arbitration clauses. They must also include the holder-in-due course rule so consumer protections are not lost just because the contract is assigned to a 3rd party creditor.

4. Data Review

Maine's HEAR Consumer Protection Plan will adhere to the following requirements as part of its data review procedures:

- a. Conduct data or file review of all projects that verifies the items listed in section 3.2.5 of the Program Requirements and Application Instructions.**

Efficiency Maine will conduct a data/file review of all HEAR projects that verifies:

- i. A process for confirming that auditing tools and modeling software have basic data validation controls on inputs to ensure data quality.
 - Efficiency Maine accepts Air Conditioning Contractors of America (ACCA)-certified Manual J calculation tools, along with those listed by the Northeast Energy Efficiency Partnerships (NEEP).² These vetted tools offer basic data validation controls on inputs to ensure data quality. For example, they provide an explanation of inputs, allow for (and explain) block load or room-by-room load calculations, give an option for retrofit vs. new construction, and offer information on local jurisdiction code requirements.)
- ii. The home assessment gathered the following data (applicable items listed in section 4.2.4 of the Program Requirements and Application Instructions):

² <https://neep.org/installer-and-consumer-resources/design-load-calculation-tools>

- A recommendation of a properly sized unit recommended by a qualified contractor for HVAC.
 - An onsite visual inspection of the existing condition of duct sealing for HVAC & envelope. (N/A for new construction.)
 - If the upgrade includes a fuel switch, an estimate of utility bill impacts and written acknowledgement by the consumer. (N/A for new construction.)
 - Written acknowledgement from the consumer of the amount they will owe not covered by the rebates.
 - Collection of the following data points:
 1. Address
 2. Dwelling type
 3. Existing energy equipment/systems to be replaced, if any
 4. New energy equipment/systems being proposed for installation
 5. Estimated total project cost
 6. Year built
 7. Conditioned floor area of home
 8. Utility bill company and account number(s)
 9. Upgrade type(s) (air source heat pump, electrical wiring upgrade, electrical panel)
 10. Rebate reservation amount
- iii. The contracted scope of work was specified consistent with program requirements.
- The implementation contractors will review invoices for work performed to confirm the invoices are sufficiently detailed and the rebates are consistent with current program measures and equipment eligibility requirements (e.g., equipment types and model numbers listed on the invoice are eligible for rebates).
- iv. The address of the installation on the invoice matches the address on the rebate coupon.
- v. For low-income rebates, rebated amount aligns with verified income category.
- Efficiency Maine will require a submittal of the proof of income for each rebate issued. Given that Maine does not allow self-attestation and instead relies on official documentation, (e.g., proof of federal program enrollment, IRS tax transcript), additional document verification is not required.

b. Retain the following items:

- i. **Post-installation photos of major upgrades for all homes;**
- ii. **Proof of combustion safety testing on fossil fuel equipment in all homes where fossil fuel systems have been impacted by the installation; and**
- iii. **Proof of commissioning testing on HVAC equipment in all homes where HVAC systems are installed.**

Efficiency Maine will retain all the required items listed above where applicable. (Note that Maine does not intend to perform combustion safety testing, as in no instance will a home's fossil fuel system be

“impacted by the installation”; the multifamily initiative focuses on new construction [i.e., there is no existing fossil fuel system] and the single-family initiative involves complete removal of the existing fossil fuel system.) These records will be saved in the effRT database in accordance with Efficiency Maine’s record retention policies (not less than 7 years).

- c. Maintain records on QC inspections including sampling rates, findings, corrective actions taken, and verification of conformance to requirements.**

Efficiency Maine will maintain records on all the required items listed above in the effRT database in accordance with Efficiency Maine’s record retention policies (not less than 7 years).

- d. Provide a description of the training or credentials of the personnel conducting the data/file review.**

The data/file reviews will be conducted by Efficiency Maine’s implementation contractors. The associated personnel staff must have, at a minimum, a bachelor’s degree. Efficiency Maine will develop tailored protocols based on the requirements described above in 4(a)-(c) (with checklists) to facilitate these data/file reviews. Efficiency Maine staff will train the relevant implementation contractor staff in following these protocols.

5. Onsite Inspections

Maine’s HEAR Consumer Protection Plan will adhere to the following requirements for onsite inspection procedures:

- a. Conduct independent onsite post-install inspections on a minimum of the first five projects of new contractors and five percent of projects thereafter for each contractor (provided no issues are found).**

Upon program launch and for a limited time, Efficiency Maine will conduct onsite post-install inspections of every HEAR-funded project. Efficiency Maine may expand to virtual inspections in the future. At that point, it will continue to conduct onsite post-install inspections on a minimum of the first five projects performed by each contractors and five percent of projects thereafter for each contractor (provided no issues are found).

- b. Describe the training, credentials, and/or qualifications required of independent inspectors, and identify of how these qualifications do/do not align with those included in a State’s IRA Section 50123 Contractor Training Grants program.**

Efficiency Maine’s implementation contractors will serve as the independent inspectors for the HEAR program. Though Efficiency Maine does not require any specific credentials or qualifications for these inspectors, they must undergo an internal onboarding and training process. This process includes:

- i. An introduction to Efficiency Maine and website navigation
- ii. An introduction to Quality Assurance (QA)
 - QA mission/inspection role expectations
 - QA processes and validation requirements
- iii. A training in current program requirements.
- iv. One day of virtual inspection viewings in which they shadow veteran inspectors.

- v. One week of live inspection training with a veteran inspector (supervisor).

These requirements are unrelated to the State's IRA Section 50123 Contractor Training Grants program.

- c. **Include a documented onsite inspection protocol that shall include a minimum of:**
 - **A visual inspection of the site and work conditions.**
 - **Verification that the installed measures match the contracted scope of work and any change orders have been appropriately documented.**
 - **Ensures compliance with E-Sign or prohibits the use of electronic devices and signatures to enter into the contract if not E-Sign compliant.**

Multifamily

All multifamily project onsite inspections involve the following:

1. A visual inspection of the site and work conditions.
2. Verification that the installed measures match the contracted scope of work (supplemented with photographic evidence) and any change orders have been appropriately documented.
3. Confirmation that the equipment is operational.
4. Recording of all relevant files (including inspection data, photos, and associated reports) in effRT.

Single Family

All manufactured home heat pump project onsite inspections involve the following:

1. A visual inspection of the site and work conditions.
2. Verification that the installed measures match the contracted scope of work and any change orders have been appropriately documented.
3. Taking photos of:
 - indoor unit
 - outdoor unit
 - condensate line
 - capped fuel line (or documentation of how primary fuel was disconnected)
4. Confirmation that all elements of the [Efficiency Maine Heat Pump Installation Checklist](#) have been satisfied.
5. Confirmation that the equipment is operational.
6. Customer support measures, including:
 - providing a copy of the Heat Pump User Tips
 - reminding the customer to discontinue fuel auto-delivery
 - where applicable, reminding customer to reassign Home Energy Assistance Program (HEAP) benefits from oil/kerosene/propane to electric.
7. Recording of all relevant files (including inspection data, photos, and associated reports) in effRT.

Efficiency Maine requires that participants in both the multifamily and single-family initiatives agree to an inspection as part of the original rebate agreement. Where that agreement involves an electronic signature, it will be E-sign compliant.

Note regarding verification of diagnostic test results for heat pumps

Efficiency Maine requires heat pump installers to commission the systems upon installation. Part of this process involves diagnostic pressure testing prior to charging the lines with refrigerant. To ensure that these tests are complete and accurate for residential installations, Efficiency Maine relies on completion of the “Line Set” section of the Residential Heat Pump Installation Requirements Checklist (see Figure 5). As described in Section 8, the RRVs (who have signed an agreement with Efficiency Maine) attest to the fact that they are completing this task on the rebate claim form for each project. For commercial installations, Efficiency Maine relies on information provided in the requisite commissioning reports. Maine is confident that these initial commissioning protocols, general installation requirements, and the inspection protocols noted above are sufficiently robust and provide the necessary quality installation and long-term quality assurance of the heat pump system without needing to resort to additional checks for each project. Maine therefore proposes continued reliance on these protocols and requirements for purposes of complying with the requirements regarding post-installation verification of diagnostic test results.

6. Virtual Inspections

Maine’s HEAR Consumer Protection Plan includes the use of virtual inspections, but only in the cases of rebates for single-family homes participating in the program. After a contractor’s initial five project completions have received on-site inspections and their performance complies with HEAR program rules and standards, the program may shift to using virtual inspections (for that contractor). These subsequent inspections will be made on not less than five percent of completed projects, provided that if a homeowner declines one of these virtual inspections then an on-site inspection will be performed.

Maine’s HEAR Consumer Protection Plan will employ the following protocol regarding virtual procedures:

- a. A description of the methods used (e.g., video recording, interview with the site contact, photos taken during the virtual tour).**

Efficiency Maine inspectors conduct virtual inspections with homeowners/owners through a smartphone video call. Inspectors ask the site contact to show the relevant equipment, display the nameplates/product information, and confirm other project details, taking screen shots for the record where relevant. Inspectors also ask homeowners/building owners whether their installer explained the most efficient operation of the measure and their overall satisfaction with the project.

- b. A description of how installed equipment will be assessed.**

Virtual inspections will assess equipment according to the same inspection protocols outlined above in Section 5(c).

- c. A list of the additional information required, such as submitted project documentation (invoices, specification sheets, and calculation models).**

Efficiency Maine will not collect any additional information at the inspection stage beyond what has already been outlined above. Invoices, specification sheets, and calculation models (where relevant) are collected as part of the rebate processing stage, and/or in some cases, the application stage.

d. Requirements for qualifying virtual inspectors.

The requirements for qualifying virtual inspectors are the same as those for onsite inspectors described above in Section 5(b).

e. The tools and platforms that will be used for the virtual inspection.

Efficiency Maine inspectors currently conduct virtual inspections using IRIS CX.

f. A description of privacy agreements.

Efficiency Maine will provide program participants with a digital copy of a simple privacy protection policy stating that any video recording or photos captured in the process of conducting a virtual inspection will not be shared outside of Efficiency Maine (including its agents/contracted partners) and the trade ally who installed the project without the participant's written permission. Participants will be required to acknowledge that they have received and read this policy prior to initiating the virtual inspection.

7. Contractors and other partners

Maine's HEAR Consumer Protection Plan will include the following required information regarding contractors and other partners:

a. Describe how the program will initially develop the qualified contractor list.

Any contractor participating in the HEAR Program must be an Efficiency Maine-approved Qualified Partner (QP) (for multifamily projects) or Residential Registered Vendor (RRV) (for single-family projects). Efficiency Maine publishes QP and RRV lists online through its vendor locator tools.³ Efficiency Maine develops these lists by inviting contractors to apply on its website. (For more detail on how contractors are added to the list, see 7(c).) Efficiency Maine recruits contractors to become QPs and RRVs through a number of in-person events, including 'counter days' at HVAC/plumbing distributors, trade shows, and installer training sessions. Staff distributes brochures highlighting the benefits of becoming a QP/RRV and occasionally runs print advertisements in local publications.

Though participants in the multifamily program offering will find qualified contractors through the QP locator tool, the process for participants in the single-family program offering will be different. Efficiency Maine maintains a separate list of the subset of RRVs approved for whole-home heat pump installations through its targeted initiative for single-family, manufactured homes (mobile homes). It recruits RRVs for this initiative by performing outbound calls to individual firms and holding in-person information sessions. The list of contractors participating in the initiative will be made public on the Efficiency Maine website to help participants make a selection.

³ RRV locator tool: <https://www.efficiencymaine.com/at-home/vendor-locator/> ; QP locator tool: <https://www.efficiencymaine.com/at-work/qualified-partners/>

All program materials for both the multifamily and single-family program offering will explain these details and point interested participants to the appropriate lists or other relevant resources. Only contractors on the relevant qualified contractor list will perform the installations (including electric heat pumps for space heating and cooling, electrical wiring, and electrical load service centers.)

b. Describe which qualification(s) that contractors will be held to, potentially including but not limited to home performance industry credentials, training requirements, business insurance and licensure, skills standards, and labor standards.

All Efficiency Maine QPs are licensed, certified, insured, committed to following Efficiency Maine's "QP Expectations," and bound by the specific terms and conditions required by Efficiency Maine for a given project.⁴ For installers offering HVAC electric solutions (including heat pumps), Efficiency Maine requires a State of Maine Master Electrician certificate, an EPA Section 608 Certification, and proof of having completed a manufacturer training. Efficiency Maine also requires proof of \$1 million in commercial general liability insurance coverage.

Similarly, all Efficiency Maine RRVs (working on single-family residential projects) are licensed, certified, insured, committed to following Efficiency Maine's "Contractor Code of Conduct," and bound by Efficiency Maine's terms and conditions.⁵ For heat pump installers specifically, Efficiency Maine requires that one member of each installation crew be a "Registered Technician" with an EPA Section 608, Type II or Universal Refrigerant Handling Certification. The Registered Technician must have also completed a heat pump installer training provided by a manufacturer of ENERGY STAR heat pumps, or an Efficiency Maine Registered Trainer, and must have completed the Efficiency Maine Heat Pump Basics training. Efficiency Maine requires a certificate of comprehensive general liability insurance and proof of workers' compensation insurance where relevant. RRVs participating in the targeted whole-home heat pump initiative for manufactured homes must sign a supplementary RRV e-agreement that includes initiative-specific terms and conditions (e.g., commitments to providing quotes to Efficiency Maine upon request, ensuring proper sizing of the heating units, providing a prompt response to service calls, and providing a full 5-year parts and labor warranty).

c. Describe the process by which contractors will be added to the qualified contractor list, including how implementers will review and consider contractors trained under IRA 50123.

Any contractors interested in becoming QPs or RRVs can find the full set of instructions for doing so online⁶ or by calling the Efficiency Maine call center. In addition to providing basic company information, applicants must submit a signed agreement and provide any relevant proof of insurance, certifications, licenses, or training required for their specific service area. Efficiency Maine's implementation contractors review the applications for completeness, checking licensing and certification information against the U.S. Department of Treasury "Do Not Pay" list to prevent listing fraudulent or illegitimate entities.⁷ If the contractor's application is accepted, they are added to the relevant online vendor locator

⁴ See the Qualified Partner Application Form here: <https://www.efficiencymaine.com/qualified-partners-application-page/>

⁵ See RRV Agreement Form here: <https://www.efficiencymaine.com/docs/EM-RV-form.pdf>

⁶ QP instructions: <https://www.efficiencymaine.com/qualified-partners-application-page/>; RRV instructions: <https://www.efficiencymaine.com/residential-registered-vendors/>

⁷ Efficiency Maine does not currently have access to "Do Not Pay" but has initiated its application to enroll in and access the service.

tool (a.k.a. qualified contractor list). Contractors trained under IRA 50123 will follow this same process and be required to meet the same minimum requirements described here in order to become QPs or RRVs.

d. Describe the conditions that would lead to a contractor being delisted and the process by which a contractor would be delisted.

Efficiency Maine may suspend or terminate a contractor's QP status if, in its sole discretion, it determines that that contractor has failed to provide services in accordance with, or has failed to abide by, Efficiency Maine's policies and procedures or has otherwise acted in a manner that is materially adverse to Efficiency Maine. The Qualified Partner Manual includes a detailed description of the suspension and termination process, summarized below.

If it is determined that an individual has not followed the rules, the QP will receive a written warning from the implementation contractor for their first offense. Upon a second offense, the QP will be placed on a one-year probation, which will include the following:

1. The QP must seek pre-approval for all projects until otherwise notified by the implementation contractor;
2. Incentive payments will be sent to the customer only (incentives will not be paid to the QP, even with authorization to do so from the customer);
3. Failure to comply with the requirements above and all program rules, terms and conditions, and QP Expectations, will result in a one-year suspension;
4. Any QP that has received a one-year suspension may re-apply to become an active QP after the suspension has been lifted. The individual(s) will be required to complete training as directed by the implementation contractor and provide all required documentation to Efficiency Maine.
5. Repeated suspensions may lead to permanent termination from the Qualified Partner network.

Written notification of suspension or termination of a Partner's status shall be sent to a Partner's last known address and will be effective upon mailing.

Regarding RRVs serving single-family homes, Efficiency Maine may suspend or terminate a contractor's RRV status if, in its sole discretion, it determines that that contractor has failed to provide services in accordance with, or has failed to abide by, Efficiency Maine's policies and procedures or has otherwise acted in a manner that is materially adverse to Efficiency Maine. The following table from the RRV Manual provides an overview of the suspension process.

Figure 2: RRV Suspension Process

	Action	Response
1	Efficiency Maine receives information about program non-compliance	<ul style="list-style-type: none"> - Efficiency Maine contacts RRV (with permission from customer, if applicable) to investigate issue.
2	Efficiency Maine investigates report of non-compliance	<ul style="list-style-type: none"> - If confirmed, resolvable and approved by homeowner, then Efficiency Maine asks RRV to resolve by <<date>> (30 days from communication) - TFR should also recommend to the Program Manager either follow up with the RRV or program changes. - If not confirmed then end process and notify homeowner as appropriate
3	Efficiency Maine reminds RRV of resolution due date	<ul style="list-style-type: none"> - 2 weeks before due date, Efficiency Maine sends written notice (draft communication link here) reminding RRV of resolution due date and warning of potential suspension
4	RRV resolves issue by resolution due date	<ul style="list-style-type: none"> - If resolved, then end process and notify homeowner as appropriate. - If not, then Efficiency Maine removes RRV's listing from Vendor Locator for one month suspension, or until resolved. Rebates still payable.
5	Suspension period ends	<ul style="list-style-type: none"> - RRV reinstated upon renewed commitment to RRV agreement and RRV code of conduct
6	Efficiency Maine receives information about another occurrence of same issue	<ul style="list-style-type: none"> - For second occurrence, follow process above but with three month suspension - If a third occurrence is confirmed, then immediate six month suspension

e. Describe how the State will educate contractors and building owners to invest in envelope improvements before investments are made in mechanical equipment.

As noted above, all projects in the manufactured home heat pump initiative must undergo an on-site prescreening process assessing preexisting conditions. The implementation contractor performs a blower door test and a duct blaster test, checks to confirm that the home's underbelly is sufficiently insulated, and performs a manual J sizing calculation. All of these inspection tasks serve to confirm that the home is a good candidate for a whole-home heat pump, and that, once installed, the unit will serve the home's full heating load. When homes do not pass this prescreening test, the implementation contractor explains the need to invest in envelope improvements prior to installing a heat pump. They provide the homeowner with relevant information on how to access financial support for these investments through the programs of Efficiency Maine or the Maine State Housing Authority.

The HEAR multifamily offering is limited to new construction projects. Participants are therefore subject to building and energy code requirements that result in buildings with considerably better envelope

conditions than existing, older building stock. Per Maine statute, low-income multifamily new construction seeking funding from the Maine State Housing Authority in particular is subject to even more stringent building envelope standards. That said, under the HEAR multifamily initiative Efficiency Maine does not intend to provide additional education and outreach on this issue.

- f. Make the qualified contractor list public and include a description of how consumers applying for rebates will be informed on how to use the list to access a qualified contractor.**

The qualified contractor lists are available on the Efficiency Maine website. The RRV locator tool can be found at <https://www.efficiencymaine.com/at-home/vendor-locator/>. The QP locator tool can be found at <https://www.efficiencymaine.com/at-work/qualified-partners/>.

Note on Retail/Distributor Partnership List

Maine's program design does not include a retail or distributor point-of-sale element. Participating contractors work freely with their existing distributors to bring qualifying equipment to their customers. Maine therefore does not maintain a list of qualified retailers and distributors.

8. Installation

Maine's HEAR Consumer Protection Plan will include the following required information regarding installation:

- a. Identify installation standards with which installers must comply, including at a minimum, standards designed to:**
 - i. Ensure work complies with local and state laws, permits, codes, and industry standards.**
 - ii. Establish minimum quality installation standards for rebated technologies.**
 - iii. Promote use of standardized and sequenced procedures for developing a detailed project scope of work.**
- b. Establish processes to enforce installation standards, including QA processes that allow the State to verify and document whether installation standards have been met.**
- c. Ensure that sales language and contract language are the same.**
- d. If financing is involved, ensure an ability to repay determination that does not include projected savings from an energy report because expected savings may not materialize due to household and market developments.**
- e. If financing is involved, ensure a disclosure and cooling off period. Clear, written advance disclosures should be required, with a 7-day waiting period between the disclosure and the contract signing. This waiting period should only be removed in a personal emergency (see Truth in Lending Act rules on this), where the homeowner, in their own handwriting, describes the emergency and the need for the emergency work and their understanding that they are waiving the waiting period. In non-emergency circumstances, there should also be a 3-day right to cancel after the contract has been signed (such that the work is not done during that period).**

Multifamily

For its multifamily initiative in HEAR, Efficiency Maine's existing program protocols promote installation standards through a number of channels. The QP Expectations include a requirement that participating contractors comply with applicable law, ordinances, regulations, and codes. For example, the Maine Uniform Building and Energy Code (MUBEC) -- governed by the Maine Department of Public Safety's Office of State Fire Marshall -- reflects the 2021 International Energy Conservation Code and provides foundational standards for new construction projects in Maine. As described in detail in section 7(b), QPs are also required to hold certain licenses and certifications that ensure they are versed in the relevant laws, ordinances, regulations and codes pertaining to a particular installation type. For example, a State of Maine Master Electrician certificate ensures that the RRV follows the prevailing electrical code (NFPA 70) and an EPA Section 608 Certification ensures proper handling of refrigerants in compliance with the Clean Air Act. The QP Pre-approval Checklist for Heat Pump/Variable Refrigerant Flow Projects also provides project guidance and quality control standards. As shown in Figure 3, this document lists the heat pump design criteria and requires that the contractor provide detail on various system controls.

Figure 3: Relevant excerpts from the QP Pre-approval Checklist for Heat Pump/Variable Refrigerant Flow Projects

Heat Pump Design Criteria: <ul style="list-style-type: none">• Projects with single-zone systems for a 1:1 zonal replacement of an existing system: the proposed heating capacity at design temperature (typically 5 deg F) must be within 60% to 100% of the current heating system capacity.• Projects with single-zone systems that are not a 1:1 zonal replacement, projects with multi-zone systems, and all new construction projects (including added capacity and replacement of failed equipment): Manual J output required. The proposed heating capacity at design temperature (typically 5 deg F) must be within 80% to 120% of the Manual J design load.• Manufacturer specification sheets showing the heating capacity at design temperature are required.
System Controls: <ol style="list-style-type: none">1. Describe how the system is going to be designed to set the heat pump/VRF systems to serve as primary heating and cooling.
<ol style="list-style-type: none">2. What controls are being implemented?
<ol style="list-style-type: none">3. If the existing system is to remain, when will the backup system be utilized (set points)?

As previously noted, Efficiency Maine will inspect 100% of all multifamily HEAR-funded projects. During the process, the implementation contractor verifies and documents whether the Efficiency Maine installation standards have been met. As described above in Section 3(b), if deficiencies are detected through the project inspection process, Efficiency Maine will communicate these results to the responsible QP or RRV and request that they perform a corrective action. This process will follow the same conflict resolution protocols described in 3(a) above. If the contractor fails to comply, Efficiency Maine will follow the relevant QP or RRV suspension and termination protocols outlined in Section 7.

All associated information is recorded in the project's file in Efficiency Maine's effRT database. Where applicable, Efficiency Maine will ensure that its program collateral reflects "sales language" consistent with any of its contract language.

Single Family

As described in detail in section 7(b), RRVs are required to hold certain licenses and certifications that ensure they are versed in the relevant laws, ordinances, regulations and codes pertaining to a particular installation type. For example, a State of Maine Master Electrician certificate ensures that the RRV follows the prevailing electrical code (NFPA 70) and an EPA Section 608 Certification ensures proper handling of refrigerants in compliance with the Clean Air Act.

As noted above, all HEAR-funded projects in the single-family manufactured home heat pump initiative must undergo an on-site prescreening process assessing preexisting conditions. The implementation contractor performs a blower door test and a duct blaster test, checks to confirm that the home's underbelly is sufficiently insulated, and performs a manual J sizing calculation. All of these tasks serve to confirm that the home is a good candidate for a whole-home heat pump, and that, once installed, the unit will serve the home's full heating load. When a project moves to the installation phase, the participating RRV must submit a rebate claim form on which they attest to following a number of installation standards. As shown in Figure 4, these requirements include an assurance that the work complies with local and state laws, permits, codes, and industry standards, along with a number of other minimum quality installation standards.

Figure 4: Checklist of requirements for whole home heat pump projects in manufactured homes⁸

- ☐ 1. Heat pump will be used to heat the home throughout the heating season
- ☐ 2. Heat pump installed in accordance with Efficiency Maine's [Heat Pump Installation Requirements Checklist](#)
- ☐ 3. Heat pump installed after invoice was approved by Efficiency Maine
- ☐ 4. Homeowner supplied with an owner's manual for the heat pump
- ☐ 5. Homeowner supplied with a copy of Efficiency Maine [Heat Pump User Tips](#)
- ☐ 6. Homeowner taught how to turn the heat pump on and off, clean the filter, switch between heating and cooling modes, change the temperature setpoint, adjust airflow direction, maintain their condensate line to prevent blockages, and call for service
- ☐ 7. Homeowner understands electric bill will increase, but overall energy costs could decrease if heat pump is used optimally
- ☐ 8. Vendor understands Efficiency Maine will pay up to \$700 per installation for a full 5-year parts and labor warranty
- ☐ 9. Vendor agrees to complete project within 30 days of project approval and submit the claim within 30 days of project completion
- ☐ 10. Vendor understands that condensate must be able to drain directly to exposed earth (not onto concrete, wires, etc.)
- ☐ 11. Vendor agrees to provide homeowner with contact information and to answer all service calls within 24 hours
- ☐ 12. Vendor understands that they must follow all local codes, including wiring appropriate for damp conditions

⁸ The generic Efficiency Maine Residential Heat Pump Installation Requirements Checklist referenced in requirement #2 can be found in Figure 5.

Figure 5: Residential Heat Pump Installation Requirements Checklist

RESIDENTIAL HEAT PUMP

Installation Requirements Checklist



Customer Name:			
Street Address:			
This form does not need to be submitted, but all items are required for rebate eligibility.			
Outdoor Unit			
<input type="checkbox"/>	18" above any surface where snow will accumulate		
<input type="checkbox"/>	Water from defrost will not form ice on walkway		
<input type="checkbox"/>	Secured to wall or stand		
<input type="checkbox"/>	Protected from roof runoff by gutter, rain cap, gable end, or overhang		
Line Set			
Manufacturer-specified lengths (feet):		Minimum:	Maximum with factory charge:
Actual line set length:			Maximum:
<input type="checkbox"/>	Refrigerant added, if required by manufacturer:	Pounds	Ounces
<input type="checkbox"/>	Line set prepared per manufacturer guidelines (if available), OR: • Confirm line set can hold a pressure above 600 PSIG for 10 minutes, AND • Confirm line set can hold a vacuum level below 500 microns for 10 minutes		
<input type="checkbox"/>	Flare connections tightened using manufacturer's torque specification		
<input type="checkbox"/>	Visible line sets covered (exception: unfinished spaces and space between house and outdoor unit)		
<input type="checkbox"/>	Line set covers connected to transition and/or termination fittings		
<input type="checkbox"/>	Line set: • Is either not coiled (preferred), OR • Is coiled horizontally, OR • Meets manufacturer specifications		
<input type="checkbox"/>	Floor/wall/ceiling penetrations sealed (no visible spray foam)		
<input type="checkbox"/>	Condensate line installed without dips or traps		
Indoor Unit			
<input type="checkbox"/>	Level		
<input type="checkbox"/>	All ductwork insulated to R8 and sealed		

All projects in the manufactured home heat pump initiative undergo a post-installation inspection. During the process, the implementation contractor verifies and documents whether the Efficiency Maine installation standards have been met. As described above in Section 3(b), if deficiencies are detected through the project inspection process, Efficiency Maine will communicate these results to the responsible QP or RRV and request that they perform a corrective action. This process will follow the same conflict resolution protocols described in 3(a) above. If the contractor fails to comply, Efficiency Maine will follow the relevant QP or RRV suspension and termination protocols outlined in Section 7.

All associated information is recorded in the project's file in Efficiency Maine's effRT database. As the primary point of contact for parties interested in the initiative and all participating contractors, Efficiency Maine is able to ensure that sales language and contract language are aligned. Efficiency Maine also equips RRVs with a number of sales resources (e.g., program brochures, claim forms, website) so that, where applicable, they are able to share program requirements (i.e., contractual language) with customers as needed.

Financing

Consistent with HEAR program requirements, if financing is involved in any HEAR-funded project, Efficiency Maine will ensure that any determination of a participant's ability to repay does not reflect any assumptions regarding projected savings. Financing applications will also require clear, written advance disclosures, with a 7-day waiting period between the disclosure and the contract signing. This waiting period will only be removed in a personal emergency (consistent with Truth in Lending Act rules), where the homeowner describes the emergency and the need for the emergency work and their understanding that they are waiving the waiting period. In non-emergency circumstances, there will also be a 3-day right to cancel after the contract has been signed (such that the work is not done during that period).

9. Continuous Improvement

Maine's HEAR Consumer Protection Plan will include a system for preventing unfair business practices and avoiding or addressing poor program function. To that end, the plan will address the following required items:

a. Identify what proactive steps the State will take to identify fraud, waste, or abuse.

Efficiency Maine will follow the guidelines within the IRA Home Energy Rebates: Data & Tools Requirements Guide to collect the appropriate data to ensure compliance with established limitations on the rebate allowance per consumer. Efficiency Maine conducts a thorough review of the required project paperwork prior to approving payments. This review involves a comparison between equipment and labor quotes (required for preapproval) and actual costs indicated on the invoice. Efficiency Maine will leverage its program management process and the effRT database to track and monitor program activity; this will ensure effective issuance of rebates, eliminate or dramatically reduce the possibility of duplicating rebates across other IRA rebate programs, and allow effective flow of information to the users, implementation contractors, and DOE.

Through its robust post-installation inspection process described in Sections 5 and 6, above, (including committing to inspecting 100% of HEAR-funded multi-family projects), Efficiency Maine will be well-positioned to identify fraud, waste, or abuse. Efficiency Maine also meets regularly with the implementation contractor teams to review inspection results and monitor customer calls, providing another opportunity for evaluation by additional individuals. Finally, consumers can anonymously report instances of suspected fraud, waste, or abuse through the Efficiency Maine Call Center.

b. How the State will implement automation to identify problem areas with program performance.

Efficiency Maine's project reporting and tracking database (effRT) provides a number of automated functions to ensure that program managers are notified if project information is missing or certain schedule milestones have not been met. Repeated instances of such notifications will help identify problem areas in need adjustment.

c. Explain how the State will measure and evaluate the success of its QA systems.

As noted above, Efficiency Maine meets regularly with the implementation contractor teams to review inspection results. The primary goal of these reviews is to identify recurring installation issues and opportunities for continuous improvement. Efficiency Maine will also collect information from its Customer Satisfaction Surveys to measure QA system success. Survey results showing customer satisfaction below an average of 6 out of a possible 10 (10 being “highly satisfied”) will trigger a requirement to review and revise program rules and/or to implement added training for contractors.

d. Describe how the QA systems will inform program improvements.

Efficiency Maine program managers will include a QA process review as part of each regularly scheduled program meeting. The implementation contractor will report back on any recent issues (e.g., participant feedback, data review challenges, inspection results, call center notes), allowing Efficiency Maine staff to determine whether and how a program adjustment or changes to program communications materials and forms might avoid or clarify similar issues in the future.

e. Describe how home assessment data and results will be verified for accuracy.

Efficiency Maine’s Implementation Contractors will perform the home assessments. To verify accuracy of assessment data and results, Efficiency Maine’s in-house program staff will oversee the first home assessment for each individual Implementation Contractor staff person performing this function. Efficiency Maine in-house program staff will also conduct a manual review of the first 5% of home assessments thereafter.

f. Document roles and responsibilities associated with how the State will monitor the program’s budget and financial performance to ensure that funds are being used efficiently and effectively.

Efficiency Maine program managers will be the primary staff responsible for monitoring the status of the HEAR budget lines for the multifamily initiative, the manufactured home initiative, and administrative costs and ensuring that the funds are being used efficiently and effectively. Expenditures will be recorded and tracked in Efficiency Maine’s financial management system – MUNIS. Efficiency Maine’s finance and administration team will provide an additional layer of oversight by reviewing all project invoices and tracking expenditures against budget line items. Program managers will also provide status reports to their supervisors throughout the project period. Supervisors will help ensure that project milestones are being met, suggesting adjustments and coordinating any necessary updates with the DOE (via the Governor’s Energy Office) as appropriate. Supervisors will also include report-backs on HEAR investment progress at each monthly meeting of the Efficiency Maine Board, providing Trustees with the opportunity to ask questions or provide comments.

10. Multifamily Renter Protections

For low-income multifamily new construction, Maine will limit rebate eligibility to projects developed to serve low-income households (with income <80% of AMI). Building owners will be required to document that at least 50% of the units in the multifamily building will be reserved for low-income households via participation in the following programs:

1. Public Housing (housing owned and operated by Public Housing Authorities)
2. Privately owned multifamily buildings receiving project-based assistance (Section 8, Section 202, Section 811)

3. Privately-owned multifamily buildings that house residents receiving tenant-based assistance
4. Section 42 Low Income Housing Tax Credit (LIHTC)

Requirements associated with these programs ensure units are made available to low-income tenants. Most also ensure that tenants are protected from unjustified rent increases.

For multifamily tenant-occupied properties that are not already subject to restrictions applicable to the housing programs listed above, the terms of the contract between Efficiency Maine and the program participant will require the following:

- The owner agrees to rent the dwelling unit to a low-income tenant.
- The owner agrees not to evict a tenant to obtain higher rent tenants based upon the improvements.
- The owner agrees not to increase the rent of any tenant of the building as a result of the energy improvements with exception of increases to recover actual increases in property taxes and/or specified operating expenses and maintenance costs.
- The owner agrees that if the property is sold within 5 years of receipt of the rebates, the aforementioned conditions apply to the new owner and must be part of the purchase agreement.
- In the event the owner does not comply, the owner must refund the rebate.
- The owner will provide written notice to tenants explaining their rights and the building owner's obligations (e.g., add an addendum to the lease).
- The owner will be subject to penalties commensurate to their actions, with a minimum penalty of \$5,000 in addition to damages and attorney's fees recoverable by tenants.

To facilitate enforcement, the state will provide contact information for tenants to notify the state of breaches to this agreement. The state will also include this information in the consumer education campaign, so tenants are aware of their rights under the applicable state law. In the event that Efficiency Maine learns of a breach to this agreement, the building owner must refund the rebate and will be subject to penalties commensurate to their actions, with a minimum penalty of \$5,000 in addition to damages and attorney's fees recoverable by tenants.