



# **Home Electrification and Appliance Rebate (IRA 50122):**

## **Consumer Protection Plan**

July 2024

### **Abstract**

This Consumer Protection Plan provides information regarding the Rhode Island Office of Energy Resources' (OER) Home Electrification and Appliance Rebate Program (IRA 50122). The Home Electrification and Appliance Rebate Program (HEAR program) is implemented in partnership with the Rhode Island Community Action Agencies, from now on referred to as CAPs. This plan documents how OER plans to respond to consumer feedback, the procedure for issue resolution, data review standards, home assessment procedures, installation standards, and the continuous improvement plan.

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### **1. Executive Summary**

OER designed this Consumer Protection Plan for the HEAR program to ensure consumer satisfaction and address any program concerns. The HEAR Consumer Protection Plan was designed in accordance with requirements set by the U.S. Department of Energy (DOE). OER will provide relevant information as needed to DOE.

The HEAR program is set up so that OER will serve moderate-income and low-income residents. The CAPs will serve low-income single family and multifamily households up to four units. All program data will be collected using Hancock Software. Low-income households served by the CAPs will work with a CAP energy auditor to apply for the HEAR program rebate. Moderate-income and low-income households that are not served by the CAPs can apply for the HEAR program rebate through OER's application portal which can be found on OER's Home Energy Rebate webpage. Every applicant will be sent an online copy of the Consumer Protection Plan to their email address when they are approved for a rebate. If an applicant does not have an email address or prefers a printed version, OER or the CAPs can print a copy and mail it to the applicant's address.

OER's Consumer Protection Plan demonstrates its commitment to ensuring the HEAR program delivers high-quality service delivery, contractor and retailer accountability, consumer satisfaction, and continuous program improvement. Through this plan OER aims to protect the integrity of the HEAR program and protect consumer interests.

OER is committed to continuous improvement and will review the Consumer Protection Plan every two years or as needed to make sure all information is up to date. This plan outlines important program aspects designed to foster consumer satisfaction, including:

- Consumer feedback and contact information systems
- Consumer resolution procedures
- Program data review and analysis
- Home energy assessment procedures
- Qualification process for contractors and retailers
- Plan for continuous program improvement

The Consumer Protection Plan, including any updates made, will be available on OER's website. To contact OER concerning the Consumer Protection Plan email [karen.bradbury@energy.ri.gov](mailto:karen.bradbury@energy.ri.gov) or call 401-714-3484.

## **2. Consumer Feedback**

### **2.1 System for Collecting and Responding to Consumer Feedback:**

The CAPs have customer service available for household complaints, concerns, and issues, and their contact information is listed below. Only low-income households served by the CAPs should contact the CAPs, moderate-income homes and those that apply for the HEAR program without assistance from the CAPs should contact OER at [karen.bradbury@energy.ri.gov](mailto:karen.bradbury@energy.ri.gov) or call 401-714-3484.

OER will respond to consumer complaints, concerns, or issues within three business days. All complaints, concerns, or issues will be documented to track and record consumer feedback. A consumer satisfaction



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survey will also be distributed three months post project completion to collect consumer feedback on the HEAR program. The survey will be sent to the applicant's email address and all responses will be recorded for program review.

<b>Community Action Agency</b>	<b>Website</b>	<b>Phone Number</b>
Blackstone Valley Community Action Program	<a href="#"><u>BVCAP – Blackstone Valley Community Action Program</u></a>	401-723-4520
Community Action Partnership of Providence	<a href="#"><u>Homepage - Main - CAPP (cappri.org)</u></a>	401-273-2000
Comprehensive Community Action Program	<a href="#"><u>Community Action Program &amp; Health Services   CCAP Rhode Island (comcap.org)</u></a>	401-467-9610
East Bay Community Action Program	<a href="#"><u>Your Bridge to Self Reliance - East Bay Community Action Program (ebcap.org)</u></a>	East Providence and Bristol County: 401-437-1000, Newport County: 401-847-7821
Tri-County Community Action Program	<a href="#"><u>TriCounty (tricityri.org)</u></a>	401-351-2750
Westbay Community Action Program	<a href="#"><u>Westbay Community Action   Helping People, Changing Lives (westbaycap.org)</u></a>	401-732-4660

Each CAP has a copy of their Client Rights Notice on their program website in an accessible place. A copy of the client's rights will also be distributed to the client upon receiving any services by the CAPs. If a client served by a CAP has a complaint, they can make it to the CAP. The client complaint process is referred to as the Client Complaint and Fair Hearing Process, a copy of the procedure can be found on each CAP's website and is listed below.

**CAP Client Complaint and Fair Hearing Process:**

- Clients that cannot resolve the problem with a CAP worker/case manager have the right to meet with a supervisor.
- The CAP will appoint a hearing officer not involved with the service or case management program to hear complaints or appeals that are not resolved by the supervisor.
- Clients (or representatives involved in the client's care) must request a hearing within 30 days after failure to resolve the problem with the supervisor.
- The hearing officer will meet with homebound clients in their homes.
- Information will be recorded.
- Client complaints or appeals must be heard, and an action plan must be developed within 30 days after the hearing officer reviews the complaint.
- Decisions will be sent by certified mail to clients.
- Clients may bring the complaint or appeal to OER if the problem cannot be solved at the agency level.

- If an appeal is sent to OER, then OER will conduct an investigation and respond to clients within 30 days.

Consumer feedback pertaining to the HEAR program will be collected electronically through a survey. OER will send a consumer satisfaction survey three months after a household completes a HEAR program project. The survey will contain the questions in Appendix B of the Home Energy Rebate Programs Requirements & Application Instructions as well as an open response section to allow households to file complaints, concerns, and issues. The survey will be sent electronically to the applicant's email address three months after project completion. If an applicant does not have an email address or prefers a printed version, OER can print the survey and mail it to the applicant's address. Survey responses will help OER better understand what works well and what may need to be addressed to have a successful rebate program. All answers will be recorded and reviewed quarterly by OER HEAR program staff.

## 2.2 Multifamily-Specific Process:

Rebates allocated to low-income renter occupied homes served by the CAPs will require building owners to post notice for tenants of the work being completed and their rights. Building owners will also be required to sign a Landlord Agreement form before any work commences, this form will require building owners to comply with DOE requirements for swelling units occupied by low-income renters for at least two (2) years following receipt of a rebate:

- 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 two 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.

A copy of the Landlord Agreement form will be maintained in the client's file. Tenants can report any violations to the Landlord Agreement to OER or the CAPs.

Per DOE's multifamily guidance, rebates may be used to fund central systems and upgrades for common areas. The CAPs will assist low-income multifamily building owners in determining what rebates can be applied to common areas.

Residents of multifamily homes are requested to provide program feedback on installations completed in their unit. Building owners will be asked to supply email addresses of the unit residents with the application if the unit resident is not the one applying for the rebate. Surveys can also be printed and mailed to unit residents if they do not have email addresses or prefer a printed survey. For further

contact information, if the building was served by the CAPs, then the unit residents can contact the CAP that served their building to report any complaints, concerns, or issues. The CAP auditor may also speak with residents in their post inspection and include their feedback in the post inspection notes. If the rebate application was submitted directly through OER's website, then OER will send a consumer feedback survey electronically to the resident's email address or a printed version will be sent to the applicant's address. If a resident wants to provide further feedback after completing the survey or does not receive a survey, they can contact OER at [karen.bradbury@energy.ri.gov](mailto:karen.bradbury@energy.ri.gov) or call 401-714-3484.

### **3. Resolution Procedures**

Consumers may report concerns of poor business practices to OER by emailing [karen.bradbury@energy.ri.gov](mailto:karen.bradbury@energy.ri.gov) , calling 401-714-3484, or by contacting a CAP agency listed in the Consumer Feedback section above.

#### **3.1 OER Resolution Procedure:**

Complaints sent to OER will be addressed in the order they are received. Once your complaint is received, an OER staff member will contact you within three business days. If the complaint falls within the jurisdiction of another local, state, or federal agency, OER will provide the respondent with the appropriate referral information. A record of complaints will be kept at OER for program monitoring purposes.

Any complaints sent to OER concerning deficiencies from a contractor's work will be investigated by OER and the CAPs through a post project home assessment. If there are deficiencies found in the post project home assessment, then the contractor will be notified and given a warning. The contractor will have a reasonable period of time to remediate the issue. If a contractor receives more than one warning or does not make the necessary remediations during the first warning, they will be removed from the qualified contractor list and no longer able to participate in the program. After the remediation work is complete, OER or the CAPs will review the work to ensure adherence with the program requirements. Documentation of the post project home assessment will be saved in the client's file on Hancock.

#### **3.2 CAPs Resolution Procedure:**

Grievances made with the CAPs will follow the Client Complaint and Fair Hearing Process. This process is described above in the System for Collecting and Responding to Consumer Feedback.

Every household that receives a rebate through the CAPs will have a pre and post project home assessment completed by the CAP auditor. If an auditor finds deficiencies in an installation during the post project home assessment, the deficiencies will be documented on the client's file in Hancock with pictures. If the deficiencies are found to be from a contractor's work, the contractor will receive a warning. The warning will be documented and shared with OER. The contractor will have a remediation

period where they are given time to fix the deficiencies. After the remediation work is complete OER or the CAPs will review the work to ensure adherence with the program requirements.

Documentation of pre and post project inspections completed by the CAPs will be saved in the Hancock software platform. The post project inspection will contain information on the auditor's findings, any corrective actions taken, and verification of conformance to program requirements. Consumers that are served by OER will be randomly sampled to ensure program requirements are met post installation of a HEAR program Rebate.

### 3.3 Legal Requirements

OER will ensure compliance with E-sign.

Contracts associated with Home Electrification and Appliance Rebates (IRA Section 50122) will not contain mandatory arbitration clauses.

The State will ensure the inclusion of the holder-in-due course rule included in contracts associated with Home Electrification and Appliance Rebates (IRA Section 50122), so consumer protections are not lost if the contract is assigned to a third-party creditor.

## **4. Data Review**

### 4.1 Hancock Software for Data Review:

Hancock software, which is approved by DOE for the state's WAP and LIHEAP programs, will be built out to help implement the HEAR program. This software system is used by the CAP auditors who visit a home to complete a pre-home assessment that will determine if a household is eligible for a program (e.g., WAP, LIHEAP, 50122 rebate). If an auditor determines a household is eligible for the HEAR program after completing the pre-home assessment, they will work with the homeowner or building owner and renter to apply for the HEAR program. Household can also apply directly through OER's website instead of through a CAP through an application portal built out by Hancock.

Hancock Software will use automation to identify missing information or errors in the application. Once applications are submitted, they will be flagged for manual review by OER. All the application data will be collected and stored on the Hancock Software platform including information on the pre and post home assessment. The address of the household where an eligible installation occurred will be collected in the pre and post home assessment. The address collected in the pre and post home assessment will be cross referenced to ensure it matches the address on the rebate coupon. The home address will be stored in the client's file on Hancock to maintain a record of the addresses that have received the HEAR program rebate. The project scope will also be reviewed to verify consistency with program requirements. If discrepancies are found in the project scope, they will be addressed and resolved by OER or the CAPs.

For households served by the CAPs, categorical income eligibility through WAP, LIHEAP, or Public Housing documentation can be verified using the Hancock software. The CAPs have WAP, LIHEAP, and Public Housing enrollment data from the RI Department of Human Services (DHS). For households that submit income forms through the Hancock application portal such as their 1040, W-2, or four consecutive weeks of pay stubs, OER will review and manually approve these submitted forms. The Hancock Software will organize applications based on the household income of the applicant. If an applicant does not meet the low- or moderate-income threshold, then they will be notified through email that they are not eligible for the rebate based on the program's income requirements.

In the CAPs' post home assessment, the auditor will check the completed work with the contractor's invoice and HEAR program requirements. The invoice and post assessment information will be stored in the client's file on Hancock. OER will also randomly sample invoice costs every quarter to compare contractor costs. If a contractor's costs are consistently higher than others, OER will issue a warning and provide them with an opportunity to substantiate their costs. If the contractor continues to charge significantly more, they will be removed from the qualified contractor list.

All records will be maintained on Hancock software. OER will work with Hancock to ensure that DOE will have access to all the quality control inspections, sampling rates, findings, any corrective actions taken, and verification of conformance requirements as requested. OER will also retain all post inspection details including geo-located photos, and proof of combustion safety testing in homes. HVAC equipment is not supported by this program so commission testing information will not be collected in the post inspection.

#### 4.2 Post Project Data Review:

OER plans to randomly select and conduct quality assurance on 5% of all claims submitted. In this quality assurance process, OER or the CAPs will verify what equipment was installed, where it was installed, and gather documentation of any equipment that was replaced. The percentage of households sampled may change over time based on the number of claims that prove to be accurate. Records of these quality assurance inspections will be saved and maintained by OER.

Three months after a consumer receives their rebate from the HEAR program, they will be sent an electronic survey to gather feedback on consumer experiences. Surveys will be sent to the email address or printed versions to home addresses that applicants enter into the Hancock application system. All the information collected in the surveys will be reviewed by OER staff quarterly.

OER staff will conduct all data file reviews utilizing the Hancock software. OER staff will be trained in partnership with DHS to perform the data file review in a similar format to the WAP and LIHEAP programs. All staff conducting data review will be hired by OER and will have to adhere to all state employee requirements. Staff will be required to pass a background check. The OER staff conducting data file reviews will report to the Chief of Energy Efficiency Program Development and the Financial Management Administrator.

## 5. Onsite Inspection

**Every household served by the CAPs will have a mandatory post-installation inspection.** The post-install inspection will be completed by a CAP auditor and documented within the Hancock software. **OER does not require households that apply for the HEAR rebate independent from the CAPs to have a home inspection.** This is alignment with DOE requirements because the eligible rebates do not require a home inspection. However, geotagged photos will need to be uploaded to the Hancock Software portal post project. Geotagged photos can be uploaded by CAPs post inspection worker, approved contractor, or retail vendor delivering an appliance. For households not served by the CAPs, OER will conduct post-install inspections on the first five projects of a new contractor and 5% of projects thereafter for each contractor. If an issue is found in an installation made by a contractor, OER will issue the contractor a warning and increase the percentage of post-install inspections for that contractor.

All state Energy Auditors must meet state and federal qualification standards set by DHS and WAP. Energy Auditors meet the following standards:

- Certifications required to perform audits for RI WAP IES program
  - BPI Building Analyst- Professional
  - BPI Building Analyst- Technical
  - BPI Building Analyst
  - Energy Auditor
  - Heating Professional
  - Quality Control Inspector is required for DOE inspections
- Rhode Island Lead Safe Renovator Remodeler certification
- OSHA 10 training
- RIE background check
- Site Assessment Process (SAP) training
- DOE annual Tier 1 and Tier 2 training

The energy auditors are also experienced in using the Hancock software platform or EPlus to complete pre and post home assessments and assisting households in applying for state and federal programs.

### 5.1 CAP Onsite Home Assessment Procedure:

For households served by a CAP Agency or multifamily buildings with less than four units, a trained staff member will conduct a full energy audit/inspection of your home or apartment, which includes:

- A complete efficiency test on your heating system (including cleanings, tune-ups, and possibly replacement)
- Test for home air leakage and insulation
- Health and safety checks for carbon monoxide, gas leaks, and smoke detectors
- Electrical consumption survey



The CAP auditor complementing the pre home assessment will document everything into the client's file on the Hancock system. In the case that a household is eligible for weatherization work and/or the HEAR program, the homeowner will need to fill out the required paperwork and application with the assistance of the CAP auditor. The required documents may include a landlord agreement form, conflict of interest paperwork, and authorization to do work. An auditor can utilize electronic forms through the Hancock software or print paper forms which will be scanned and uploaded to the Hancock portal.

In the post assessment, the auditor will verify that the contractor's work matches the invoice submitted and that the program requirements are adhered to. The auditor will also discuss the work completed with the homeowner or renter. After the project is complete and the rebate is paid out, OER will send the homeowner or renter an electronic survey in accordance with the DOE guidelines to gain program feedback.

## 5.2 Post-Installation Inspection:

Households served by a CAP Agency will have a mandatory post-installation inspection as discussed above. For households that apply for the rebate through OER and not the CAPs, will have to comply with OER's post installation requirements. For work completed by a contractor like electric wiring, electric load service center upgrades, and replacing a gas dryer or stove, the contractor will be required to upload geo-tagged photographs of the work completed and their invoice to the Hancock portal. For appliances that are delivered to households, OER will require the delivery vendor to take a geotagged photo of the appliance delivered to the home and upload it to the Hancock portal. Contractors will also be required to have the building owner sign the invoice once a project is completed. The invoice will then be uploaded to Hancock. Without the signed invoice and geo-tagged photos of the work completed, contractors will not receive the rebate.

## **6. Contractors and Retail Partners**

### 6.1 Contractors:

OER received the qualified contractor list from DHS for the WAP program. The WAP-approved contractor list was the starting point for building the HEAR program approved contractor list. OER partnered with the Department of Labor and Training (DLT) to expand the qualified contractor list. The DLT will work to verify contractors' licenses to build out the qualified contractor list.

OER will also work with the Rhode Island Department of Administration's (DOA) Division of Diversity, Equity, and Inclusion to make sure the qualified contractor list is representative of the state's population and will promote minority and women contractors.

Contractors can apply to be added to the qualified contractors list for the Home Efficiency and Appliance Rebates. Contractors can email a copy of their electrical license to OER at [karen.bradbury@energy.ri.gov](mailto:karen.bradbury@energy.ri.gov) where OER staff will review the information submitted. OER will work with DLT to verify a contractor's qualifications and make sure their electrical license is up to date. Once the contractor is approved, the contractor must register with OER for rebate reimbursements. The contractor will be notified of their

approval and added to the qualified contractors list on OER's Home Energy Rebates webpage once they finish the registration process.

All qualified contractors will be licensed electricians registered with the DLT. The qualified contractors must have a valid contractor's license, which can be checked through DLT. The contractor cannot have any violations on their licenses, this will be monitored by DLT.

All approved contractors and retailers will be posted on OER's Home Energy Rebates webpage. For a contractor and distributor to be listed as an approved contractor or distributor, they must register with OER. Every contractor on the approved list will be vetted by DLT to make sure they have an up-to-date contractor license. Approved retailers must keep an active registration with the DOA's Division of Purchasing. Fraudulent or illegitimate entities will be reported to the Office of Internal Audit for further investigation.

The CAP auditor will review a contractor's work in the post-home assessment. The CAP auditor will go through the contractor's invoice and check that it matches the work completed in the household. Photos of the work verified in the post-home assessment will be uploaded to the Hancock software as well as any notes from the auditor.

In the case that a household is not served by the CAPs, OER will randomly sample contractors' invoices to ensure consistency. If a contractor is found to constantly charge more for the work they complete, OER will issue the contractor a warning. If the contractor continues to charge significantly higher prices after being issued a warning, they will be removed from the qualified contractor list. If a contractor does not install an ENERGY STAR product the household that a rebate was provided, they will be issued a warning from OER. If the contractor continues to not provide ENERGY STAR products to households receiving a rebate, they will be removed from the qualified contractor list. If the CAPs or OER find a contractor has not completed the work that they had invoiced for they will be issued a warning and will not be reimbursed for work they did not complete.

OER suggests that consumers get a quote from at least three contractors on the qualified contractor list before choosing a contractor. OER will ensure that sales language and contract language are the same for the HEAR rebates. The following technologies must be installed by a contractor listed on the qualified contractor list to be eligible for a rebate:

- Electrical wiring
- Electric load service center

A PDF version of the qualified contractor list will be posted on OER's Home Energy Rebates webpage. This list will include the name of approved contractors and their contact information. Before program launch, OER will conduct outreach to contractors to inform them on the HEAR program and how to become a qualified contractor. As the program progresses the list of qualified contractors will be updated as contractors are added or removed.

## 6.2 Retail Stores:

The retail pathway will initially only be open to those who are served by the CAPs. OER is working to open the retail pathway to moderate income rebate recipients and those who are not served by the CAPs. Once the retail pathway is built out, OER will announce the new pathway and rebates will be available through the Hancock Software application portal.

OER will reach out to Rhode Island appliance retailers to inform them of the HEAR program and determine if they are interested in becoming a qualified retailer. OER will host a meeting with interested retailers to make sure they understand the eligible HEAR program requirements. OER will connect interested retailers with PNNL to connect with the PNNL API tool. OER will also require the retailer to maintain an active registration with the DOA's Division of Purchasing for rebate reimbursement. After registration with the state for rebate reimbursements and connecting to the PNNL API, OER will add the retailer to the qualified retailer list. For help in navigating how to become a qualified retailer, store managers should contact OER at [karen.bradbury@energy.ri.gov](mailto:karen.bradbury@energy.ri.gov).

Qualified retailers will adhere to program requirements including only providing eligible rebate recipients with ENERGY STAR certified appliances. The appliance purchased at the qualified retail store must match the product listed on the coupon. If a qualified retailer does not adhere to the program requirements, they will receive a warning with a chance to remediate the issue. If the qualified retailer does not remediate the issue or receives a second warning, they will be removed from the qualified retailer list. OER will ensure that sales language and contract language are the same for the HEAR rebates.

## 7. **Installation Standards**

OER requires all rebate installations to comply with local and state laws, electrical permit standards, and building code requirements. All eligible appliances installed as part of the HEAR program must be ENERGY STAR certified. Any electrical wiring work and service panel installations will need to be completed by a contractor. The contractor will be required to submit an invoice detailing all of the work completed and have the household sign off on the invoice. OER will collect quality assurance information through a variety of methods that may include a post-installment home assessment and consumer satisfaction survey.

## 8. **Financing**

Financing will not be offered as part of the HEAR program.

## 9. **Continuous Improvement**

OER has processes in place to identify signs of fraud, waste, or abuse in the HEAR program. Program performance will be monitored closely by OER. The Hancock software will include some automation to

identify problem areas within program performance. OER, Hancock, and the CAPs will work together to address areas of program improvement. The processes in place to prevent fraud waste or abuse include:

- Hancock software and OER staff will cross reference WAP and LIHEAP consumer lists to ensure categorical income eligibility.
- All post project home assessments will be reviewed by an OER staff member to ensure required documents, work orders, invoices and photographs meet program requirement.
- Monitoring qualified contractors and retail stores invoices.
- OER Staff will review all quality assurance survey responses and take action on responses that indicate a deficiency in the program.
- OER will host regular check-in meetings with the CAPs and Hancock.
- The CAPs will submit an annual single audit report to DOA's Office of Internal Audit.
- OER will work with Rhode Island Grants Management Office and Accounts and Controls Office to manage program funds.

In the case that OER is suspicious of fraud, waste, or abuse in the HEAR program, it will be reported to DOA's Office of Internal Audit for further investigation.

Quality assurance systems like the consumer survey will inform program improvements. Surveys will be collected and compiled into an excel sheet where responses will be manually reviewed by OER staff. OER adhere to DOE guidelines of having programmatic changes approved by DOE before implementing them. Once changes are approved by DOE they will be clearly communicated to HEAR program partners and customers.

OER will also monitor the HEAR budget closely and will work with DOE to make any necessary changes. The Hancock Software will have measures in place to prevent further rebate applications once the funding is too low. Every invoice will be reviewed, and financial transactions monitored by OER employees. The Financial Administrator for OER will monitor the HEAR programs financial performance.