Maine Fraud, Waste, and Abuse Mitigation Plan

Inflation Reduction Act (IRA) High-Efficiency Electric Home Rebate (HEEHR) Program (IRA Section 50122)[1]

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1. General

Maine's HEEHR Fraud, Waste, and Abuse (FWA) Mitigation Plan will meet the following general requirements:

a. **The FWA Mitigation Plan will be readily accessible on the Efficiency Maine website (www.effiencymaine.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 FWA Mitigation Plan and procedures.**
c. **For a minimum of 7 years, Efficiency Maine will retain all records related to Maine's FWA Mitigation Plan processes, including but not limited to complaints, concerns, sampling rates, findings, corrective action, and verification of conformance to requirements. All records will be stored digitally and be made available to the Department of Energy (DOE) upon request.**
d. **Maine will review its FWA Mitigation Plan at least every 2 years, adjust it based on lessons learned and program performance. Upon publishing a revised plan, Maine will communicate changes to contractors by email. Maine will also communicate changes to DOE in the subsequent quarterly reporting documents.**

[1] Also known as the Home Electrification and Appliance Rebate (HEAR) Program.

2. Consumer Feedback

Maine's HEEHR FWA Mitigation Plan will maintain a system for collecting and responding to consumer feedback that:

a. Allows program participants to file complaints, concerns, and issues directly to the implementer(s).

HEEHR 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.[2] 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). Maine will require that landlords of multifamily buildings that received rebates for central upgrades post a Notice to Tenants flyer in a common area that highlights these feedback mechanisms.

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

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.

3. Resolution Procedures

There are no existing Maine laws or regulations as may pertain to commercial contracts under the program that mandate a specific conflict or dispute resolution procedure.

Maine's HEEHR FWA Mitigation 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 program participants and contractors. 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.

[2] Throughout this document, the term "implementation contractor" refers to a contracted third-party delivery team that runs some portion of the HEEHR Program at the direction of Efficiency Maine. This is distinct from a "trade ally" contractor installing equipment (i.e., a Qualified Partner [QP]).

All contractors participating in the HEEHR Program must be an Efficiency Maine-certified trade ally. Efficiency Maine refers to those contractors serving the commercial sector (including multifamily) as Qualified Partners (QPs).

Where the dispute involves (1) non-compliance with Efficiency Maine's QP 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 6(e) 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 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 suspension and termination protocols outlined in Section 6 below.

c. Required Contract Provisions.

All contracts related to the HEEHR-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 HEEHR FWA Mitigation 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 <u>all</u> HEEHR 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. (N/A for new construction. Note that all HEEHR projects will be built according to Maine's state building energy codes or the Maine State Housing Authority building and energy codes, neither of which require any additional assessment.)

ii. The home assessment gathered the applicable items listed in section 4.2.4 of the Program Requirements and Application Instructions. (N/A for new construction.)

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 matches the address on the rebate reservation.
- Efficiency Maine will perform on-site inspections of all HEEHR projects.

v. The rebated amount aligns with verified income category.
- Efficiency Maine will require a submittal of the proof of a building's income category for each rebate issued. Given that Maine does not allow self-attestation and instead relies on official documentation, (e.g., restrictive covenant), 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]. With respect to post-installation photos, an Efficiency Maine staff person and/or implementation contractor staff person will collect and retain non-geotagged photos during the on-site inspection. As the individual collects these photos, they will ensure that they accurately reflect the equipment model numbers reflected in the approved scope of work. The relevant staff person will verify photo validity through an attestation. These records will be saved in the effRT database in accordance with Efficiency Maine's record retention policies (not less than 7 years).

c. 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 contractor. 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 HEEHR FWA Mitigation 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).

Efficiency Maine will conduct onsite post-install inspections of every HEEHR-funded project.

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 HEEHR program. Though Efficiency Maine does not require any specific credentials or qualifications for these inspectors, their deep understanding of the HEEHR program requirements and technical knowledge of the heat pump equipment make them highly qualified to perform inspections. To verify operation, inspectors must understand the basic operating principles of all heat pumps associated with the program and be able to confirm that the equipment is operational and functioning as intended. Efficiency Maine's Commercial HVAC Pre-Approval checklist serves as a helpful benchmark of this knowledge. To evaluate installation quality, they must be able to recognize whether equipment has been installed in accordance with standard HVAC practices, as codified in the HEEHR Heat Pump Commissioning Report and/or manufacturer commissioning reports.

Inspectors 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. Five (5) live inspection trainings 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.**

All 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.

Efficiency Maine requires that participants 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 to confirm there are no leaks in the system upon charging the lines with refrigerant. To ensure that these tests are complete and accurate for commercial installations, Efficiency Maine relies on information provided in the requisite commissioning reports. Maine will verify this commissioning report documentation as part of the post-installation inspection process. Additionally, during the on-site inspection, inspectors will confirm whether the heat pump units are maintaining the required set point and responding to the thermostats. This verification process determines whether the units are operating as designed, and thus serves to verify that the refrigerant is properly loaded (i.e., that the installer's diagnostic pressure testing results were accurate and reliable.) 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. Having an inspector present at the time of testing would be redundant. An installer will not proceed with capping off the system and finalizing the installation unless the test is satisfactory. Additionally, there is no way for an inspector to repeat this test once the lines are capped off. If an active heat pump system has leaks, it will have performance issues and trigger the relevant error codes.

6. Contractors and other partners

Maine's HEEHR FWA Mitigation 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 HEEHR Program must first be an Efficiency Maine-approved Qualified Partner (QP). Efficiency Maine publishes the QP list online through its QP locator tool.[3] Efficiency Maine develops this list by inviting contractors to apply on its website. (For more detail on how contractors are added to the QP locator tool, see 6(c).) Efficiency Maine recruits contractors to become QPs 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 and occasionally runs print advertisements in local publications.

Efficiency Maine will then develop and maintain a separate list (the HEEHR Qualified Contractor List) of the subset of QPs approved for installations through its HEEHR program. These contractors will include QPs that have been further screened through the U.S. Department of Treasury "Do Not Pay" database.[4]

[3] https://www.efficiencymaine.com/at-work/qualified-partners/

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

(For more detail on how contractors are added to the HEEHR Qualified Contractor List, see 6(c).) This list will be posted on the Efficiency Maine website.

All program materials will explain these details and point interested participants to the appropriate list or other relevant resources. Only contractors on the HEEHR Qualified Contractor List will perform the installations (electric heat pumps for space heating and cooling.)

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.[5] 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.

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 can find the full set of instructions for doing so online[6] 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. If the contractor's application is accepted, they are added to the QP locator tool.

For the subset of Efficiency Maine QPs looking to participate in the HEEHR program (and be added to the HEEHR Qualified Contractor List), Maine will further check their information against the U.S. Department of Treasury "Do Not Pay" database to prevent listing fraudulent or illegitimate entities. Efficiency Maine will initiate this additional screening at the request of a QP or a program Participant. Program materials will explain this requirement and process.

Contractors trained under IRA 50123 will follow this same process and be required to meet the same minimum requirements described above in order to be listed on the HEEHR Qualified Contractor List.

d. Describe how the state will perform due diligence on contractors that will be on their qualified contractor list and how they will prevent the listing of fraudulent or illegitimate entities.

As previously noted, Maine will use the "Do Not Pay" database to vet potential contractors prior to adding them to the HEEHR Qualified Contractor List to prevent the listing of fraudulent or illegitimate entities. If Maine finds a positive match, that contractor will not be added to the HEEHR Qualified Contractor List.

[5] See the Qualified Partner Application Form here: https://www.efficiencymaine.com/qualified-partners-application-page/

[6] https://www.efficiencymaine.com/qualified-partners-application-page/

e. 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 averse 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 suspension or termination of QP status at Efficiency Maine's sole discretion.
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.

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

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

The HEEHR 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 HEEHR multifamily initiative Efficiency Maine does not intend to provide additional education and outreach on this issue.

g. 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 contactor.

The HEEHR Qualified Contractor List will be publicly available on Efficiency Maine's HEEHR multifamily initiative webpage. The webpage will clarify that the qualified status only indicates program participation and minimal vetting, and is not an endorsement or approval of Efficiency Maine or the US Department of Energy. The webpage and the program guidelines will explain the HEEHR Qualified Contractor List requirement and listing process.

<u>Note on Retail/Distributor Partnership List</u>

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.

7. Installation

Maine's HEEHR FWA Mitigation 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).**

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 6(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 HEEHR Heat Pump Commissioning Report checklist (Figure 1) also specifies various required installation standards for heat pump projects. (Note that for variable refrigerant flow (VRF) projects specifically, Efficiency Maine requires that participants furnish the manufacturer's commissioning report, which verifies the correct installation and condition of the electrical, wiring, and refrigerant systems in the VRF equipment.)

Figure 1: Relevant excerpts from the HEEHR Heat Pump Commissioning Report

Heat Pumps
☐ Units are 18" above any surface where snow will accumulate.
☐ Units are secured to wall or stand.

Line Sets							
Manufacturer-specified lengths (feet): Min:		Max. with factory charge:		Max:			
Actual line set length:							
☐ Refrigerant added, if required by manufacturer:		Pounds		Ounces		☐	N/A
☐ 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 cold a vacuum level below 500 microns for 10 minutes.							
☐ Flare connections tightened using manufacturer's torque specification.							
☐ Visible line sets covered (exception: unfinished spaces and space between house and outdoor unit.							
☐ Line set covers connected to transition and/or termination fittings.							
☐ Line set: • Is either not coiled (preferred), or • Is coiled horizontally, or • Meets manufacturer specifications.							
☐ Floor, wall, ceiling penetrations are sealed (no spray foam visible)							

As previously noted, Efficiency Maine will inspect 100% of all multifamily HEEHR-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 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 suspension and termination protocols outlined in Section 6.

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.

Financing

Consistent with HEEHR program requirements, if financing is offered by a qualified contractor, Efficiency Maine will ensure that any determination of a participant's ability to repay does not reflect any assumptions regarding projected savings. Efficiency Maine 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).

8. Continuous Improvement

Maine's HEEHR FWA Mitigation 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 participant. 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 Section 5, above, (including committing to inspecting 100% of HEEHR-funded 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 of 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 quarterly reviews is to identify recurring installation issues and opportunities for continuous improvement.

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 quarterly 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.

N/A for new construction.

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 HEEHR budget lines 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 Department of Energy Resources) as appropriate. Supervisors will also include report-backs on HEEHR investment progress at each monthly meeting of the Efficiency Maine Board, providing Trustees with the opportunity to ask questions or provide comments.

9. Multifamily Renter Protections

For all multifamily tenant-occupied properties, the terms of the contract between Efficiency Maine and the program participant will require that for any low-income dwelling units, for at least two years following the receipt of rebates:

- 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 2 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.