

# Texas Department of Housing and Community Affairs

## Weatherization Program

### Documentation Q&As

(Updated October 2024)

The Texas Department of Housing and Community Affairs (The Department) has created the following document to assist its Weatherization funded Subrecipients to answer applicable program questions. The document contains answers to the questions the Department has received that are relevant to the network. In addition to this document, Subrecipients are encouraged to take the following steps to respond to their questions:

- Review your applicable DOE and LIHEAP WAP Contracts
- Reference applicable TAC Rules
- Reference other applicable program rules/guidelines (OMBs, CFRs, TXGMS, WPNs, WAP Memos, etc.)
- Review WAP guidance provided on the TDHCA Website

If after reading and referencing these materials, you still have questions, please contact the training by submitting a program question by completing this form:

- <https://tdhca.wufoo.com/forms/request-for-ca-program-assistance/>

**You may click on the hyperlinks below to move to the most appropriate category that applies to your question.**

### Contents

Client Files – Denials, Referrals, Checklist.....	2
Whole House Assessments .....	3
Final Inspections .....	3
Multi-Family Weatherization .....	4

### Department Q&As available:

- For information regarding income guidelines, please refer to the Department's [Income Guidelines Q&A](#).
- For information regarding Health & Safety topics (CAZ, ASHRAE, LSW, K&T, etc.), please refer to the Department's [H&S Q&A](#).
- For information regarding General WAP topics (T&TA, Bonding, etc.), please refer to the Department's [General Q&A](#).
- For information regarding WAP documentation (client files, Assessments, Final Inspections, Multifamily), please refer to the Department's [Documentation Q&A](#).
- For information regarding energy audit processes, please refer to the Department's [Energy Audit Q&A](#).
- For information regarding WAP Work topics (Priority List, Major/Mandatory/Secondary/Optional measures, etc.), please refer to the Department's [WAP Work Scope Q&A](#).

### Best Practice(s) available upon request:

- Client Denials & Referrals
- WAP Client File Checklist
- Whole House Assessment
- Isolating the CAZ
- Mobile Home Work Scope
- Principles of CFM Reduction
- Window & Door Replacement
- Using ASHRAE 62.2-2016 Calculator
- Evaporative Coolers
- Unit Replacement
- Manual J/S
- SEER, EER, HSPF, and AFUE Degradation
- Water Heater
- Final Inspection Process
- Multifamily Weatherization

## Client Files – Denials, Referrals, Checklist

- 1. Subrecipients have to deny/defer quite a few WAP weatherization applicants that are income-qualified, but after the initial assessment, the unit is deferred for home related reasons (EX: not structurally sound) that are beyond the scope of weatherization. The denied clients, however, remain in need, what can be done?**

Existing government structures and philanthropic society together provide a myriad of services and assistance programs helping people in need statewide. There may be home-related situations that cannot be addressed by an existing Federal, State of Texas, county, city, or non-profit community organizations, but such those situations are usually the exception and not the rule. Most cases of need can be addressed, at least in part, via existing programs. The Department has a searchable "[Help for Texans](#)" database available for Subrecipient and client use. Partnering with other agencies and organizations, as required for CSBG Subrecipients, is highly encouraged for Subrecipients, which allows for more comprehensive help to be provided to the clients in the local service area. Subrecipients need to keep in mind that the goal of the WAP program is to provide long term energy savings by installing sustainable energy efficient measures. If an income-qualified house is not in a condition where those weatherization measures will be able to sustain for the estimated life of the measure, then Subrecipients need to take that into consideration before determining whether or not it is a good long-term decision to weatherize that unit at that time. Subrecipients should obtain client permission to refer deferred files to partners and/or other non-profit organizations that possibly may be able to assist. Subrecipients who determine that a home is beyond the scope of the program should document their decision by providing descriptions of the repairs needed, photographic evidence to support the repairs needed, and costs estimates. For any house that is deferred, a deferral notice must be provided to the client and the client must be informed of their right to appeal the deferral. A copy must be kept with the Subrecipient.

- 2. Subrecipients have denied several homes for H&S reasons. What type of documentation is needed to ensure that the right decision was made?**

Subrecipient assessors and inspectors should be very familiar with the Health and Safety Guidance. If the hazards identified by the guidance cannot be remediated or is beyond the scope of the WAP program, the home should be deferred, and the client provided referral information to the appropriate agency to help remediate the H&S issue. Documentation supporting deferrals mainly include results of mechanical testing, notes of visual and sensory inspections, and photographic evidence supporting those inspections. All documentation should be kept in the client file and available for review.

- 3. What steps should we take when a home is denied, but the client disagrees with our determination?**

Subrecipients should always follow their internal policies, which must align with [TAC Rule 6.8](#). If a client disagrees with the results, it is best for someone who was not originally involved in the denial to review the client file and documentation that led to the original decision. Let your documentation guide you in making the appropriate determinations. Provide clear, detailed explanations, communicate effectively, and be sure to offer additional resources or referrals that the client may qualify for.

- 4. What is the next step when a client submits a complaint to the Department during or after the weatherization process?**

Once a complaint is received, the Department will review the complaint and initiate an investigation. This process involves coordinating efforts with both the Subrecipient and the complainant to gather all relevant information and identify a potential resolution. The Department will examine all documentation, evaluate the actions taken by the Subrecipient, and assess whether the complaint has merit or if additional steps are required. During this phase, the Department will maintain open communication with all parties involved to ensure transparency and collaboration. The goal is to address any concerns, clarify misunderstandings, and ensure compliance with program guidelines.

The main objective of this process is to provide a thorough summary of the investigation's findings. This summary will be shared with both the Subrecipient and the complainant. The Department will either offer an explanation that supports the original decision or, if necessary, recommend corrective actions to resolve the issue. Ultimately, the aim is to ensure that all parties understand the resolution and that the integrity of the program is maintained.

- 5. Subrecipients have denied several homes for "not being able to benefit from weatherization" or something along those lines. What type of documentation is needed to assure that the right decision was made?**

After a thorough assessment, when the weatherization measures are determined for the house, justified per program requirements (energy audit or Priority List), the Subrecipient then needs to determine if the scope of the

work is justified to continue on with the process. Subrecipients who determine that a dwelling unit cannot benefit from WAP, either due to the lack measures to be installed, or because the energy audit doesn't show an acceptable cumulative SIR of 1 or higher, proper documentation for deferral must be maintained in the client file.

**6. What forms and documentation are required for our client files?**

TDHCA's WAP website contains most of the forms, documents, regulations, and best practices you will need for quality files. Please review the Department website frequently for new and/or revised forms. In order to ensure that your client files are complete, you MUST perform Quality Control reviews. Note that any file is subject to state or federal review at any time, so ALL of your files must contain all required forms and information. Subrecipients should always ensure that client files include documentation identified in the current program contract section titled "Record Keeping Requirements" this will have the most current documents to include in client files.

## Whole House Assessments

**1. Subrecipients are consistently struggling to generate complete and comprehensive work orders that result in good WAP work. Where do we start?**

When it comes to the actual WAP work that makes a building more energy efficient, and actually saves the client money by lowering their utility usage, it all starts with the initial whole house assessment. With a complete, thorough, and comprehensive assessment, you should have enough information to either (1) properly run an accurate and complete energy audit or (2) properly work through the applicable Priority List(s) to justify the most comprehensive work order for that specific unit. The quality of your assessment establishes your "ceiling" for how good your work order/work scope can be. If your assessment is mediocre, or average, the best your WAP work will be is mediocre or average; you will not have enough information from an average assessment to end up with a work order that will end with good results. Spending more time to get detailed and thorough information during the assessment should save time for other aspects of the process (work order, contractor work scope, final inspection), so please prioritize getting a very thorough and good assessment to start your WAP process.

**2. How do I know if my assessment forms are adequate? How do I know if my assessment process is compliant?**

The most obvious evaluation metric would be to compare your assessment form(s) to [TAC §6.416](#) to see if you are capturing all the information required for a whole house assessment. Another evaluation metric would be if the houses/units you weatherize show a significant reduction in utility usage after WAP work is complete. If you want more help, the Department has a "*NEAT-MHEA Whole House Assessment Form*" on the Department website on the "[Program Guidance](#)" page under "Program Forms" so you can use that, or locally re-design as desired, just ensure the assessment collects all the required information outlined in TAC.

**3. Based on recent monitoring, we are still falling short with gathering all required information from our initial assessment(s). Is there a process, or checklist we can use to help us?**

Yes, TDCHA has a cheat sheet available upon request to view as well as an SOP checklist developed if followed properly should result in a complete assessment. The cheat sheet is available by request and the SOP checklist is available for download in the program guidance section of the website.

## Final Inspections

**1. What is the purpose of the Final Inspection? What are we trying to accomplish?**

Final inspections are intended to be the Subrecipients final check that all the work was completed, was completed to or above the required material specifications (SWS), and there are no remaining missed WAP opportunities. A unit that has passed a Subrecipient final inspection indicates that Subrecipient staff has confirmed that all the measures called for on the work order have been installed and met the applicable standards, and that the contractor(s) should get paid for work completed. Units should not pass a final inspection unless all measures are installed, met applicable standards, there are no missed opportunities, and the work should be paid out to the contractor.

**2. What is the required documentation for DOE-WAP QCIs?**

Per WPN 22-4, every completed DOE-WAP unit must have a full final inspection performed by a certified QCI. The Department has created a [QCI-Final Inspection Certification Form](#) for Subrecipient QCIs to complete for each final inspected unit. A completed form must be in each client file.

QCI process consists of three components (client file review, final onsite inspections, and pass/fail determination) as described in detail below.

#### Client File Review

- Review of assessment, energy audit, work orders, contractor invoices, & BWR to determine the following
  - Installed measures were called for on the work order
  - All weatherization measures were addressed
  - Verification of no missed opportunities

#### Final Inspection

- Onsite Inspection of measures invoiced and/or listed on the BWR
- QCI required test documentation is as follows:
  - Blower Door
  - ZPD documentation
  - Duct blaster (if applicable)
  - Pressure Pan testing (if applicable)
  - ASHRAE compliance
  - DWH temperature testing
  - Ambient CO ppm
  - Combustion testing (efficiency, co, co air free, etc.) (if applicable)
  - CAZ testing (worst case, spillage, draft) (if applicable)
  - Furnace heat rise testing (if applicable)
  - Gas leak testing (if applicable)
  - Gas flex criteria (if applicable)

#### Pass/Fail determination

- To successfully pass a QCI final inspection each unit should successfully pass the following three determinations:
  - Visual/Sensory Inspection
  - Obtain satisfactory diagnostic results
  - Ensure measures are installed to SWS compliance

### **3. Is there a cheat sheet available that provides examples of key areas assessors should examine for nearly every home?**

Yes, the Department has an updated cheat sheet that provides Subrecipients with examples of commonly inspected items. Keep in mind that these are general guidelines and may not apply to every home. However, assessors must be able to perform the required tests mentioned in question #3 when applicable.

## **Multi-Family Weatherization**

References: Active WPNs (EX: 22-12, 22-13); Active WAP Memos (EX: 099); 10 CFR 440.22(b); TAC 6.414; Program Contracts

### **1. With expected production benchmarks to meet, multifamily complexes need to be considered. What is the Department's stance/guidance on the idea?**

The Department is highly supportive of the Subrecipient network weatherizing multifamily properties. Weatherizing multifamily complexes is a highly efficient way to increase expenditures and production in a short amount of time. The opportunity to streamline assessments, work orders, complete WAP work in multiple units in a day, and centralize production for consecutive weeks/months are all reasons to consider and pursue potential multifamily properties. Utilizing resources on the Department website, or from WPNs, to target specific properties and/or conducting additional outreach in your service area to find applicable properties is a great start. Subrecipient staff conducting quality control checks on the WAP work before and during the work will increase the likelihood of better final results at the final inspection.

### **2. What are the qualifications to determine if a building qualifies for weatherization?**

50% rule (duplexes, three—plexes, or four-plexes): at least 50% of the tenants **must** qualify. For example, in a 2 unit building, 1 tenant must qualify. In this example, this building would then be authorized the max CPU per fund

source (EX \$12,000 for LIHEAP) in weatherization funds, not including necessary health and safety expenditures, to be spent on both units. Note: every effort should be made to conduct a blower-door test and the applicable combustion tests in adjacent neighboring units; this should be accomplished because this test provides the “whole-house assessment” with information about the thermal boundary.

66% rule (5+ units per building): at least 66% of the residents in a multifamily building **must** qualify for the weatherization program for the building to be weatherized. For example, in a 20 unit building, 14 tenants must qualify. In this example, this building, if weatherized with LIHEAP only, would then be authorized \$168,000 in weatherization funds (\$12,000 x 14, not including necessary health and safety expenditures). In this case, the money for the weatherization will be pooled and used to weatherize the building as best as possible using a whole-house assessment and Priority List. The particular qualified tenant’s units will not be weatherized to the exclusion of the rest of the tenants; the weatherization will be best applied to weatherization the entire building, benefiting all tenants. In other words, if you look into the attic of a weatherized multifamily building, you will not see insulation lumped over only one unit, but rather evenly distributed over the attic floor.

### **3. What are the requirements for multifamily properties? Anything different from single-family homes?**

For the most part, documentation is most likely very similar to single-family units.

Income documentation: Income documentation is still required. If you are working on a property from an active pre-approved list (EX: [WAP Memo 099](#) or [WAP Memo 109](#)), the income documentation process can be shortened: you can use the income documentation on file with the property. If you are not using a property from the pre-approved lists, income documentation requirement is the same as single family; it is a lot of paperwork but could be worth it.

Client file documentation: This is all the same. Each unit still needs all the applicable documentation listed on in your program contracts, and outlined on the client file checklist: consumption histories, diagnostic test results from initial assessment and final inspection, BWRs, invoices, etc.

Master File documentation: For multifamily properties, a master file is required, as outlined within your program contracts. All the applicable forms must be completed in a timely manner. All required forms are posted on the Department website on the “[Program Guidance](#)” page.

Other: For LIHEAP-only – nothing else is applicable. For DOE, or DOE-BIL, Davis-Bacon (DB) and/or Build America Buy America (BABA) might apply. Please refer to the most recent version of the Department’s DB/BABA cheat sheet that has already been provided to the network. Additionally, when completing a multifamily with DOE-BIL that has triggered DB requirements, the DB information for that property will also have to be captured in the LCPTTracker software.

### **4. What methods can we use to justify WAP measures on multifamily units?**

LIHEAP-only: you can use the current applicable LIHEAP WAP Priority List to address any possible measures at any type of multifamily property.

DOE only or DOE-BIL only properties: if the building meets the DOE LRMF PL building qualifications, you can use that PL to address any possible measures at the property. If the building does not meet the established building qualifications, you can use WaWeb for properties with 2-24 or less units per building. If you have a property with 25+ units per building, another method will need to be used; please reach out to Department staff if you have that situation.

DOE or DOE-BIL properties leveraged with LIHEAP WAP: if the building meets the DOE LRMF PL building qualifications, you can use the DOE PL & LIHEAP PL together to address any possible measures at the property. If the building does not meet the established building qualifications, you can use WaWeb for properties with 2-24 units per building. If you have a property with 25+ units per building, another method will need to be used; please reach out to Department staff if you have that situation.

### **5. What guidance does the Department have for Subrecipients considering weatherization on a shelter?**

Weatherization of shelters is certainly an option, but historically, not many have been done in Texas. If you are serious about weatherizing a shelter, please reach out to Department staff.

### **6. How does the Department define Multifamily units?**

In WAP a multifamily building is any residential building containing two or more units. There is not one all-encompassing definition for multifamily buildings and how they are addressed within WAP. There are nuances related to multifamily eligibility, multifamily auditing, and multifamily reporting that each carry their own definitions. Generally speaking, the common types of multifamily buildings are as follows:

- Residential buildings with 25+ units or are more than three stories are usually referred to as large multifamily buildings.
- Residential buildings with 5-24 units that are 3-stories or fewer are usually referred to as small multifamily or low-rise multifamily buildings.
- Multi-unit buildings with fewer than 5 units are usually referred to as 2–4-unit buildings.

Note: Row houses and townhomes may be treated as single family dwellings if they have independent mechanical systems and are attached only by vertical walls that contain a continuous pressure boundary (i.e., fire-rated assembly) that is not penetrated from the foundation to the highest point of the conditioned space.

#### **7. In general, what are the responsibilities of the landlord during the terms of the WX agreement?**

Current WAP regulations outlined in 10 CFR 440.22 require the Subrecipients to obtain written permission from the property owner or agent before any work is done on a building containing rental units. In regard to the Landlords responsibilities these can be summarized below:

- Landlord must cooperate with the Agency by providing necessary records and documents to determine if the tenants meet US Department of Energy guidelines for WX services and allow the agency to enter the premises to conduct whole house assessments.
- If the Agency determines the premises are income eligible, and once a summary of the proposed work is provided to the Landlord after the energy audits are complete, then the landlord agrees to abide by the terms of the agreement for 24 months starting from the date the WX work is completed.
- Rent increases are not allowed during the Agreement term unless they are unrelated to the weatherization work performed. Evictions can only be done for just cause and unrelated to the WX work.
  - If such occurs during the terms of the agreement, the Subrecipient must work with the Landlord to uncover the facts prior to eviction to determine if such cause violates the term of the agreement.
    - Examples of which could potentially occur:
      - Landlord operating on a false pretense by claiming renovations or the work poses a health & safety risk as a reason for eviction such as claiming the tenant must vacate the unit because such WX activities require the unit to be empty.
      - Using Increased Energy Efficiency as justification for Rent Increase
- Agency identifies the installation of WX materials on an agreed date, from that date until completion, the landlord must provide access during normal business hours to agency personnel, subcontractors, and state & federal officials to all weatherized units.
- Landlord agrees to provide all the eligible tenants with a copy of the “signed” Landlord agreement between the Subrecipient & property owner.
- Landlord must notify agency 30 days before selling or converting the property. They must also obtain the purchaser’s written consent to assume the obligations of the agreement. If this consent is not obtained, the landlord must pay the agency the pro-rated cost of weatherization for the remaining term & the agreement may be filed as a lien against the property.
- Any weatherized unit that becomes vacant during the term of the agreement must be rented to an income-eligible household.
  - Note: If the unit is vacant at the time of eligibility determination, then the sub shall either continue to factor this into the percentage determination, if vacant affects eligible percentage, then it should be encouraged an income eligible tenant rent such space to meet compliance.
- Landlord agrees to maintain the WX Materials installed once warranty period ends per TAC 6.410.

#### **8. What can a Subrecipient do if a landlord refuses to cooperate?**

Some landlords may refuse to cooperate with the Weatherization Assistance Program. In such cases, agencies can explore other local social service programs and refer tenants to those resources for assistance. If the landlord received proper education as it relates to the benefits the (WAP) program can potentially offer and remain uncooperative, the building(s) probably need to be deferred until a healthy working relationship is initiated between the tenants, agency, & property owner.