



**Department of Energy**  
Washington, DC 20585

**WEATHERIZATION PROGRAM NOTICE 11-4**  
**EFFECTIVE DATE: December 22, 2010**

**SUBJECT:** GUIDANCE REGARDING PRIORITIZING WEATHERIZATION WORK BASED ON HOUSING TYPE

**PURPOSE:** To issue guidance for Grantees and subgrantees of the Department of Energy (DOE) Weatherization Assistance Program (WAP) regarding weatherization of multi-family units.

**SCOPE:** The provisions of this guidance apply to Grantees or other entities named in the Notification of Grant Award as the recipient of financial assistance under the Department of Energy Weatherization Assistance Program. This guidance applies to all sources of funds in use – American Recovery and Reinvestment Act of 2009 (Recovery Act) and regular appropriated DOE Weatherization funds in 2009, 2010 and beyond.

**LEGAL AUTHORITY:** Title IV, Energy Conservation and Production Act, as amended, authorizes the Department of Energy (DOE) to administer the WAP. All grant awards made under this Program shall comply with applicable law including regulations contained in 10 CFR Part 440, the Energy Policy Act of 2005, the Energy Independence and Security Act of 2007, and the Recovery Act.

**BACKGROUND:** The purpose of WAP is to “implement a weatherization assistance program to increase the energy efficiency of dwellings owned or occupied by low-income persons . . . especially low-income persons who are particularly vulnerable such as the elderly, persons with disabilities, families with children, high residential energy users, and households with high energy burden.” 10 CFR 440.1. In order to meet the purpose of WAP, Grantees should ensure weatherization services are being provided to low-income persons that live in all types of housing (i.e. single family, manufactured housing units, and multi-family buildings).

Multi-family buildings, including rental housing, offer opportunities for energy efficiency upgrades that are a cost effective approach to lowering operating expenses, maintaining affordability for low income households, and creating healthier, more comfortable living environments for low income families. Nationwide there are approximately 34 million families who are income eligible for WAP weatherization services, including

approximately 17 million renter households. Approximately 70% of households living in multifamily buildings are income eligible for WAP weatherization services. Weatherizing one multi-family building could provide weatherization services for several low income families at one time. In addition, several multi-family buildings may have long-term use restrictions which would allow the benefit of weatherization services to be extended for a longer time period to more low-income tenants.

To help minimize administrative barriers and simplify the process for residents of U.S. Department of Housing and Urban Development public and assisted housing that are seeking to weatherize their homes, DOE published a final rule in the Federal Register on January 25, 2009, amending 10 CFR 440.22 – *Eligible Dwelling Units* 75 FR 3847. As a result of the final rule, if a public housing, assisted multi-family or Low Income Housing Tax Credit (LIHTC) property is identified by HUD and included on one of three published lists, it is deemed to meet certain eligibility criteria. On March 1, 2010, DOE posted lists of properties supplied by HUD. By having a property listed on one of these three lists, the WAP subgrantee can reduce the review and verification necessary to weatherize the buildings. The buildings identified on the lists must still meet all other applicable eligibility requirements.

**GUIDANCE:** Grantees are required to have procedures in place to ensure that priority is given to identifying and providing weatherization assistance to: elderly persons, persons with disabilities, families with children, *high residential energy users*, and households with high energy burden. See, 10 CFR 440.16(b), emphasis added. Multi-family buildings, because of their size, may often be high residential energy users. As part of the review of future State plans, DOE will be reviewing Grantees procedures for ensuring that the required priorities are addressed. Plans that expressly exclude multi-family buildings would appear contrary to prioritization required under WAP.

DOE will provide technical assistance to Grantees and subgrantees who choose to engage in multi-family weatherization in instances in which such weatherization is consistent with the WAP purpose and requirements

DOE has various multi-family energy audit(s), tools, and training to assist Grantees and subgrantees implement weatherization plans starting in Program Year 2011. In addition, several Grantees have many years of experience in providing services to the multi-family sector and have indicated a willingness to share their knowledge within our network. Also, many resource materials are available on Weatherization Assistance Program Technical Assistance Center (WAPTAC), <http://www.waptac.org>, to assist as well.

It should be noted that in qualifying a multi-family building for weatherization, Grantees and subgrantees are reminded that 10 CFR 440.22(b) requires that a building containing rental dwelling units is eligible for WAP funds where “not less than 66 percent (50 percent for duplexes and four-unit buildings, and certain eligible types of large multi-family buildings) of the dwelling units in the building: (i) Are eligible dwelling units, or (ii) Will become eligible dwelling units within 180 days under a Federal, State, or local

government program for rehabilitating the building or making similar improvements to the building . . .” Weatherizing only a single unit within a multi-unit building would not meet this program requirement. WPN 11-1, Section 5.2 addresses this concern relating to weatherizing single units within a building as well as other aspects of multi-family weatherization.

**CONCLUSION:** If there are additional questions or concerns about this guidance document, Grantees should contact their PMC Project Officer. DOE appreciates your cooperation and patience as we work together to achieve the Administration’s goal of creating jobs and increasing the number of people who benefit from DOE-funded weatherization projects.

A handwritten signature in black ink that reads "LeAnn M. Oliver". The signature is written in a cursive, flowing style.

LeAnn M. Oliver  
Program Manager  
Office of Weatherization and Intergovernmental Program  
Energy Efficiency and Renewable Energy