

15 AAC 155.530 is repealed and readopted:

15 AAC 155.530. Initial energy rater authorization. (a) The Corporation shall establish procedures for the periodic review of applications by persons seeking to be authorized to perform energy ratings for use in Corporation programs.

(b) Any person seeking authorization to perform energy ratings for use in Corporation programs must provide an application that includes the following:

- (1) the applicant's name and address;
- (2) proof that the applicant has obtained a high school diploma or GED;
- (3) a statement that the applicant is not under indictment for forgery, theft, extortion, conspiracy to defraud, or any other felony involving moral turpitude;
- (4) a statement whether or not the applicant has been convicted for forgery, theft, extortion, conspiracy to defraud creditors, or any other felony involving moral turpitude, and if so, that the sentence imposed upon conviction has been completed;
- (5) documented proof, including professional references, of four years or 8000 hours of education, training and experience in one or more of the following trade or professional areas:

- (A) residential construction;
- (B) residential architectural or design services;
- (C) International Code Council certified combination dwelling inspector;
- (D) weatherization assessor;
- (E) residential energy auditor; or
- (F) residential energy efficiency; and

(6) and, a statement that the applicant can perform, with or without accommodation, all physical tasks associated with an energy rater's duties, including standing, climbing, crawling, and carrying of equipment weighing up to 40 lbs.

(c) Following the receipt of an application, Corporation staff will make a preliminary determination as to whether the applicant is qualified to obtain energy rater authorization. Failure of the applicant to provide any of the information required in (b) of this section will automatically result in a finding that the applicant is not qualified to obtain energy rater authorization.

(d) If an applicant is deemed preliminarily qualified to obtain energy rater authorization, the applicant must then

(1) provide the Corporation with

(A) documented proof of successful completion within the last two years of an air tightness workshop approved by the Corporation, including proof that the applicant has successfully completed all testing required by the workshop provider;

(B) documented proof of successful completion within the last two years of a combustion safety workshop approved by the Corporation, including proof that the applicant has successfully completed all testing required by the workshop provider;

(C) documented proof of successful completion within the last two years of a training program in an energy rating software program approved by the Corporation, including proof that the applicant has successfully completed all testing required by the workshop;

(D) documented proof that the applicant has obtained certification as a building analyst through the Building Performance Institute, or other comparable certification as approved by the Corporation;

(E) documented proof that the applicant has obtained building compliance certification through the Corporation;

(F) documented proof of successful completion within the last two years of a cold-climate homebuilding, retrofit or building science workshop;

(G) documented proof of successful completion of a rater training workshop or apprenticeship approved by the Corporation, including proof that the applicant has successfully completed all testing required by the workshop or apprenticeship; and,

(2) successfully completed the Corporation's interview process, which may include testing related to basic reading, writing, math and computer skills.

(e) An applicant who meets the requirements of (b) and (d) of this section may then be given an opportunity to enter into an energy rater agreement with the Corporation. The applicant shall enter into such an agreement in order to be authorized to perform energy ratings for Corporation programs.

(f) The Corporation will provide training and testing for energy rater applicants on a regularly scheduled basis.

(g) The Corporation will review a minimum of five ratings performed by any person who has not previously been authorized to perform ratings for the Corporation. (Eff. 5/7/93, Register 130; am ___/___/___, Register ___)

Register _____, _____, 2010 REVENUE

Authority: AS 18.56.088 AS 18.56.096 AS 18.56.850

15 AAC 155.540 is amended by adding a new section to read:

(b) Effective July 1, 2010, an energy rater is required to obtain and continue to maintain a Building Analyst certification through the Building Performance Institute, or other comparable certification as approved by the Corporation, to renew or maintain a rater agreement with the Corporation. (Eff. 5/7/93, Register 130; am ____/____/____, Register ____.)

Authority: AS 18.56.088 AS 18.56.096 AS 18.56.850

15 AAC 155.560(a) is amended to read:

15 AAC 155.560 Termination or suspension of energy rater agreement. (a) The corporation **may** [WILL, IN ITS DISCRETION,] terminate or suspend an energy rater agreement upon a finding that the energy rater

(1) falsified information furnished to the Corporation on an application or failed to promptly disclose to the Corporation information required by subsection (d) of this section;

(2) falsified information on the energy rating of a home;

(3) violated a term of the energy rater agreement;

(4) performed a substandard energy rating that is not corrected within 15 days of receipt of written notice from the corporation;

(5) repeatedly failed to use reasonable knowledge, skills, or judgment in the performance of energy ratings;

(6) repeatedly failed to conduct energy ratings in accordance with the energy rating manual adopted by the corporation;

(7) has been convicted of **any misdemeanor or felony offense involving** forgery, theft, extortion, conspiracy to defraud, or any other felony involving moral turpitude; **or**

(8) has been convicted of a misdemeanor or felony described in (7) of this subsection during the term of the rater agreement.

15 AAC 155.560(b) is amended to read:

(b) If the Corporation terminates or suspends an energy rater agreement, the Corporation will promptly notify the energy rater in writing of the reason for the revocation and advise the energy rater of **the** [HIS OR HER] right to appeal the termination or suspension [UNDER 15 AAC 150.210].

15 AAC 155.560 is amended by adding a new section to read:

(d) An energy rater shall promptly disclose to the Corporation, in writing, any consumer complaints or lawsuits filed against the energy rater which directly relate to the performance of the energy rater's duties as an energy rater, any criminal charges, except traffic offenses, and any criminal convictions, including those involving a suspended imposition of sentence or fine. (Eff. 5/7/93, Register 130, am ____/____/____, Register _____.)

Authority: AS 18.56.088. AS 18.56.096 AS 18.56.850