

Results of Electronic Ballot of RESNET Board of Directors on Memorandum of Agreement with Masco for the ELF Program

August 20, 2009

The following are the results of the electronic of the board on entering into a Memorandum of Agreement with the EFL Program:

1. Shall the RESNET Board of Directors authorize the RESNET Executive Director to enter into the August 12, 2009 draft Memorandum of Agreement with Masco for the ELF Program (Attachment A)?

Yes (11)	No (5)	Abstain (1)	Not Voting (4)
Ben Adams	Andy Gordon	Robert Scott	David Goldstein
Steve Byers	C.T. Loyd		Tom Hamilton
Dennis Creech	Greg Nahn		Michael Holtz
Richard Faesy	Kelly Parker		Bill Prindle
Philip Fairey	Erin Wiggins		
Bruce Harley			
Mark Jansen			
Lee O'Neal			
Daran Wastchak			
David Wilson			
Barb Yankie			

The RESNET Executive Director was authorized to enter into an agreement with Masco for the ELF program.

Attachment A

Draft

Memorandum of Understanding

Between

Masco Home Services' Environments for Living (EFL)

And

Residential Energy Services Network (RESNET)

August 12, 2009

OBJECTIVE:

Inasmuch as Masco Home Services (hereinafter called Masco) desires to expand the reach of its Environments for Living program (hereinafter called EFL) to a broader market beyond Masco-employed Raters, RESNET and Masco enter into this Memorandum of Understanding to further the joint objectives of both Masco and RESNET's Rater members.

The objective of the relationship shall be to allow duly certified RESNET Rater members in good standing to directly market the EFL Program to their builder network(s). This provides RESNET Rater members with an additional marketing tool for their services and provides Masco with additional clientele and a larger pool of Rater practitioners. The relationship shall provide increased exposure and marketing support for RESNET Rater members through the EFL program, particularly in smaller secondary markets which are currently underserved by the EFL program.

To participate, the Rater must be a member of RESNET in good standing, and meet all RESNET membership requirements plus additional requirements as set forth by EFL.

Masco hereby offers to serve as a RESNET Rating Provider for those RESNET Rater members who desire this additional service.

Masco shall also provide marketing support to promote the EFL program through the EFL web site, and through site signs, brochures, and media advertising.

LIMITATIONS

- A. Nothing in this MOU authorizes or is intended to obligate the parties to expend, exchange, or reimburse funds, services or supplies, or transfer or receive anything of value or to enter into any contract, assistance agreement, or other financial obligation. Any endeavor involving the exchange of funds between the parties to this MOU will be subject to separate subsidiary agreements that will be effected in writing by authorized representatives of both parties, in accordance with applicable laws, regulations, and the parties' respective company policies and procedures.
- B. This MOU is not exclusive and in no way restricts either of the parties from participating in any activity with any other public or private agencies, organizations, or individuals.
- C. This MOU shall not be construed to create any legal obligation on the part of either party. This MOU shall not be construed to provide a private right, benefit, or cause of action for or by any person or entity enforceable by law or equity against Masco or RESNET, their officers, employees, or any other person.

EFL RATER TRAINING/CERTIFICATION REQUIREMENTS

RESNET Rater members wishing to participate in the program shall be required to successfully complete one of the following trainings* (Note: both the EFL on line and Advanced Energy Corporation trainings qualify for 6 RESNET CEU credits):

1. Attend a two-day building science course taught by Advanced Energy Corporation (The training will be offered a minimum of twice per year with one training to be scheduled in conjunction with the RESNET annual conference)
2. Complete the EFL online Green Builder College certification training.
3. Complete the EEBA "Houses That Work" training certification
4. Complete the BPI Building Analyst Certification

*RESNET Rater members who have already completed at least one of the training programs listed will be grandfathered into program.

Additional training will be required via the EFL web site on proper entry of data into Project Manager Database, submittal of plan review data, completion of Project Agreement, and explanation of guarantee (There will be no fee for this training).

TESTER AND PLAN REVIEW AGREEMENTS

When required, each participating RESNET Rater member will be required to sign an EFL tester and plan review center agreement. Such agreement shall be independently entered into between the Rater and Masco, and shall not be construed to be subsidiary to nor supplemental to this MOU.

PERIOD OF AGREEMENT

This MOU will become effective when signed by both parties. This MOU may be amended at any time by the mutual written agreement of both parties. The parties will review this MOU at least every two years to determine whether it should be revised, renewed or canceled. Either party may terminate this agreement by providing 90 days' written notice to the other party.

Signed on behalf of

Masco Home Services

RESNET

Steve Baden

Executive Director

Date

Date