

**Results of Electronic Ballot of RESNET Board of Directors on
Authorizing the RESNET Executive Director to Enter Into a
Memorandum of Understanding with the Passive House
Institute
February 11, 2011**

Shall the RESNET Board of Directors Authorize the RESNET Executive Director to enter into a Memorandum of Understanding with the Passive House Institute?

Yes (18)

No (0)

Abstain (0)

Not Voting (1)

Ben Adams
Dave Bell
Steve Byers
Dennis Creech
Lance De Laura
Brett Dillon
Charles Eley
Philip Fairey
David Goldstein
Andy Gordon
Mark Jansen
Lee O'Neal
Bill Prindle
Eurihea Speciale
Orlo Stitt
Greg Thomas
Daran Wastchak
Barb Yankie

Javier Ruiz

The RESNET Executive Director was authorized to enter into the Memorandum of Understanding with the Passive House Institute.

Attachment A

Memorandum of Understanding

Between
Residential Energy Services Network, Inc.
And
Passive House Institute US, Inc.

February 2011

PREAMBLE

Residential Energy Services Network's (RESNET) mission is to ensure the success of the building energy performance certification industry, set the standards of quality, and increase the opportunity for ownership of high performance buildings. RESNET is a membership 501(c)(3) nonprofit organization. RESNET's standards are officially recognized by the U.S. mortgage industry for capitalizing a building's energy performance in the mortgage loan, certification of "White Tags" for private financial investors, and by the federal government for verification of building energy performance for such programs as federal tax incentives, the Environmental Protection Agency's ENERGY STAR program and the U.S. Department of Energy's Building America Program.

Passive House Institute US ("hereinafter PHIUS") IS A 501(C)(3) nonprofit organization whose primary mission is increasing the number of ultra energy efficient buildings in the US by improving the adoption rate of the Passive House Building Energy Standard throughout the United States. PHIUS specializes in Certification, Design, Training, Education and Research that is focused on people, projects and products meeting the Passive House Building Energy Standard for very low energy consumption homes and buildings. PHIUS has also formed a subsidiary known as the National Passive House Alliance ("hereinafter PHA"), a nationwide membership organization that focuses on educating its members and the general public about the Passive House Building Energy Standard, improving the recognition of the Passive House Building Energy Standard in various legislative programs and providing continuing education opportunities to its

members. The PHIUS board of Directors are targeted to prove energy performance of the PHIUS Passive House Planning Package software model (hereinafter PHPP) through the development of Certified Training, Quality Assurance, and Testing Standards, which will allow for inclusion in certification of the PHPP model and Certified Passive House Projects for tax credit or deduction, utility and municipal incentives, Energy Star Program, LEED, CGH and other similar programs in North America. The PHIUS Board of Directors is composed of representatives from building industry, architecture, education, non-profit and sustainability organizations. PHIUS has been running certified training classes for Certified Passive House Consultants in the US since 2008. There are currently 92 Passive House units on track for Certification in the US covering commercial and residential buildings in multiple climate zones. PHIUS has been in discussions with the USGBC as well as federal and state legislators for inclusion of Passive House as a Low/Net Zero Energy Program in the LEED program as well as multiple federal and state legislative programs. PHIUS is currently operating several marketing and outreach programs (i.e. the National Passive House Conference) which have led to successful pilot building projects with the City of Urbana, Illinois, several affiliates of Habitat for Humanity, and others.

RESNET and PHIUS are hereinafter also referred to collectively as the “Parties” and individually as a “Party”.

PURPOSE AND GOAL

The purpose of this Agreement is to create a harmonization of the methodology on how extremely low or no energy buildings are modeled, rated and tested for their energy performance in North America. The goal is to create consistency that will lead to the development of a modeling, testing and certification process which will be recognized and used across all of the building sectors as part of an international carbon emissions cap and trade market.

GENERAL PROVISIONS

Through this agreement PHIUS and the Residential Energy Services Network, Inc. (RESNET) will become an associate member of each others' organizations. Both organizations will strive to harmonize their standards and procedures for modeling, testing, rating, and certification of a building's energy efficiency in the low or zero energy building market.

TERMS OF AGREEMENT

RESNET agrees to:

- Formally recognize PHIUS as an associate member of its organization.
- Authorize PHIUS and PHA to use the RESNET name and logo during the period of this agreement.
- Provide PHIUS with the following:
 - Access to RESNET's standards for proposed amendments that would better meet the low/zero energy building market;
 - A monthly column in RESNET's "RESBlog", RESNET's Facebook and LinkedIn social network pages
 - A special link on RESNET's website to the PHIUS and PHA websites.
- Assist PHIUS and PHA in adapting its technical standards and procedures to harmonize with the RESNET standards.
- Work with PHIUS to adopt a uniform calculation of carbon savings for improved building energy performance.

PHIUS and PHA agree to:

- Authorize RESNET to use the PHIUS and PHA names and logos during the period of this agreement.
- Adopt the RESNET HERS Index – the minimum requirement for this would be that PHIUS would use the RESNET HERS Index as a template to assign an

Index Score to its certified buildings in accordance with the general provision of this agreement.

- Adopt rating standards and procedures that harmonize with the RESNET provisions for Certified Passive House Project certification, quality assurance, codes of ethics and standards of practice.
- Adopt rating standards and procedures that harmonize with the RESNET provisions for Certified Passive House Consultant certification, quality assurance, codes of ethics and standards of practice.
- Work with RESNET in adopting a uniform calculation of carbon savings from improving a building's energy performance.

RESNET and PHIUS agree to:

- Adopt common methods of calculating carbon emission savings from energy efficiency improvements.
- Adopt a common HERS Index methodology, where a "0" represents a net zero energy building that accounts for all site fossil energy use through RESNET's definition of "Reference Electricity Production Efficiency" and where "100" represents the standard US new building code home, including all home energy uses.
- Adopt common rater certification, quality assurance, code of ethics and standards of practice procedures for low and zero energy homes and buildings.
- Work together to aggregate carbon emissions reduced through increased building performance for the greenhouse gases emissions trading market.

ACKNOWLEDGEMENTS

Each Party agrees to acknowledge the contributions of the other Parties on all materials produced in the course of this Agreement (including information available in electronic format) and at all public events.

COSTS

- Each Party agrees to strive to fulfill this Agreement on Cooperation to the best of its ability and according to the resources available.
- Specific budgets for any collaboration will be discussed and confirmed on a project-by-project basis.
- Except as set forth herein or otherwise agreed to in writing, all costs resulting from cooperation pursuant to this Agreement and any related Annexes shall be the responsibility of the Party incurring the costs. The implementation of this Agreement is subject to applicable laws and regulations of the countries of the Parties.

ENTRY INTO FORCE, TERM AND AMENDMENT

This Agreement shall enter into force upon signature by the Parties and remain in force for a period of five years. The agreement may be amended or extended by written agreement of the Parties.

Any Party may, upon a year's notification, withdraw from this agreement.

AGREED TO ON THIS DATE

Katrin Klingenberg Date
Executive Director
PHIUS

Steve Baden Date
Executive Director
RESNET