

Comment #: 42

Commentator: Steve Baden

Organization: On Behalf of RESNET Staff

Paragraph: 912.5.4.2

Comment Type: Technical

Comment:

Section 913.4 already includes a provision for a petition to a stay of action, this section is not required. In addition Certified Home Energy Raters must comply with the RESNET Standards. It is proposed that the rater have whistle blower protection. If the rater knows the provider is in violation of standard and does nothing then the rater is a party of the transgression.

Proposed Change:

~~912.5.4.2 Raters working with a Provider whose accreditation is revoked or suspended may be granted a period of time thirty (30) days in which to complete ratings in progress with the Provider. RESNET shall establish the time frame for transition and any limitations on work performed by the Provider and Rater during the transition period.~~

Response:

Accept_X___

Reject_____

Reason:

Comment #: 43

Commentator: Steve Baden

Organization: On behalf of RESNET staff

Paragraph: 913.2

Comment Type: Technical

Comment:

Twenty business days too drawn out. Can be reasonably accomplished in ten business days. Allows more expedited resolution of issue.

Proposed Change:

913.2 Within five (5) business days after receipt of an appealable action by RESNET, the Appellant shall notify the RESNET Executive Director of their intent to appeal. The Appellant shall then have ~~twenty ten~~ (2-10) business days after the date of notice to submit appeal documentation to the RESNET Executive Director.

Response:

Accept X

Reject

Reason:

Comment #: 44

Commentator: Steve Baden

Organization: On Behalf of RESNET Staff

Paragraph: 913.5

Comment Type: Technical

Comment:

Clarifies at what level request for hearing should be addressed. It is appropriate that this request be part of the RESNET Ethics and Appeals Committee but not the RESNET Board. The RESNET Board review should be to ensure due process was followed not having 20 individuals decide merits of complaint.

Proposed Change:

913.5 At the time of noticing its appeal to the RESNET Ethics and Appeals Committee, the Appellant may request a telephonic hearing before the RESNET Ethics and Appeals Committee, which gives the Appellant the opportunity to provide oral arguments in favor of their appeal.

Response:

Accept_X____

As modified:

913.5 At the time of noticing its appeal to the RESNET Ethics and Appeals Committee, the Appellant may request a telephonic hearing, which gives the Appellant the opportunity to provide oral arguments in favor of their appeal.

Reject_____

Reason:

The first addition is accepted. The second addition is not necessary.

Comment #: 45

Commentator: Steve Baden

Organization: On behalf of RESNET Staff

Paragraph: 913.5

Comment Type: Technical

Comment:

Twenty business days to notify all parties too drawn out. Can be reasonably accomplished in ten business days.

Thirty business days to hold hearing too drawn out. Can reasonably be done in 10 business days. Allows more expedited resolution of issue.

Proposed Change:

913.5 At the time of noticing its appeal, the Appellant may request a telephonic hearing, which gives the Appellant the opportunity to provide oral arguments in favor of their appeal. In such an event, RESNET shall, not later than ~~twenty ten (2-10)~~ business days after the filing of the notice of appeal, notify all parties to the appeal of the date of the hearing, which shall be held as expeditiously as possible, but not later than ~~thirty ten (3-10)~~ business days after the receipt of the notice of appeal.

Response:

Accept X

As modified.

913.5 RESNET shall, not later than ten (10) business days after the filing of the notice of appeal, notify all parties to the appeal of the date of the hearing, which shall be held as expeditiously as possible, but not later than ~~thirtytwenty (30)~~(20) business days after the receipt of the notice of appeal.

Reject

Reason:

The proposed language already had the first time frame stated as “ten (10)” business days. Because the second time frame is based on the date the appeal is received, the proposed time frame by which the hearing is held must be greater than ten (10) days. The Committee agreed that twenty (20) business days was appropriate.

Comment #: 46

Commentator: Steve Baden

Organization: On behalf of RESNET staff

Paragraph: 913.6

Comment Type: Technical

Comment:

Thirty business days too drawn out. Can be reasonably accomplished in ten business days. Allows more expedited resolution of issue.

Proposed Change:

913.6 Within ~~30~~ 10 (~~3-10~~) business days of receiving the appeal, or the date of a hearing, the Ethics and Appeals Committee or Board of Directors shall render a decision on the appeal.

Response:

Accept X

As modified.

913.6 Within ~~thirty~~ ten (~~30~~) (10) business days of receiving the appeal, or the date of a hearing, the Ethics and Appeals Committee or Board of Directors shall render a decision on the appeal. In the event that additional information is requested, a one-time extension of ten (10) business days may be applied in order to allow the appellant sufficient time to respond.

Reject

Reason:

The Committee wanted to allow time for the possibility of additional information exchange prior to the rendering of a decision.