



WaterSense[®] New Home Certification System

June 25, 2009

Table of Contents

I.	DEFINITIONS.....	3
II.	OVERVIEW OF CERTIFICATION PROCESS.....	4
III.	PROCEDURES AND REQUIREMENTS FOR PROGRAM ADMINISTRATORS.....	4
	A. APPLICATION PROCEDURES FOR PROGRAM ADMINISTRATORS	4
	B. EPA APPROVAL OF PROGRAM ADMINISTRATORS	6
	C. RESPONSIBILITIES OF PROGRAM ADMINISTRATORS	6
	D. ONGOING SUPPORT	8
IV.	PROCEDURES AND REQUIREMENTS FOR LICENSED CERTIFICATION PROVIDERS.....	9
	A. PROCEDURES FOR BECOMING A LICENSED CERTIFICATION PROVIDER.....	9
	B. RESPONSIBILITIES OF A LICENSED CERTIFICATION PROVIDER.....	11
	C. ONGOING SUPPORT	13
V.	PROCEDURES AND REQUIREMENTS FOR WATER-EFFICIENCY HOME INSPECTORS	15
	A. INSPECTOR TRAINING AND ADMINISTRATION.....	15
	B. NEW HOME INSPECTION.....	16
	C. NOTIFY LICENSED CERTIFICATION PROVIDER OF NEW HOME INSPECTIONS	17
	D. ONGOING SUPPORT	17
VI.	PROCEDURES AND REQUIREMENTS FOR BUILDER PARTNERS.....	18
	A. PARTNERSHIP AGREEMENTS WITH EPA	18
	B. NEW HOME CERTIFICATION AND LABELING.....	18
VII.	SUSPENSION AND WITHDRAWAL OF THE WATERSENSE LABEL FROM NEW HOMES.....	19
	FIGURE 1. NEW HOME CERTIFICATION PROCESS	21
	TABLE 1. SUMMARY OF PROGRAM ADMINISTRATOR ROLES AND RESPONSIBILITIES.....	22
	TABLE 2. SUMMARY OF LICENSED CERTIFICATION PROVIDER ROLES AND RESPONSIBILITIES.....	23
	TABLE 3. SUMMARY OF INSPECTOR ROLES AND RESPONSIBILITIES	25
	TABLE 4. SUMMARY OF BUILDER PARTNER ROLES AND RESPONSIBILITIES	26

WaterSense New Home Certification System

This document, a supplement to the *WaterSense Program Guidelines*, outlines the process for certification and labeling of new homes in compliance with the *Water-Efficient Single-Family New Home Specification* (specification), including the general procedures for builder application and receipt of the certificate containing the WaterSense label. This document also describes the general application procedures and requirements for those parties involved in training, home inspection, certification, and issuance of the WaterSense label.

I. Definitions

Builder Partner: A home builder who has committed to building new homes in accordance with the specification and providing other support as specified in this certification system. The builder must signify such commitment by signing a WaterSense partnership agreement with EPA.

Licensed Certification Provider: An organization that commits to hire or contract with inspectors, train inspectors, oversee new home inspections, and issue certification decisions for inspected homes. The certification provider must signify such commitment by signing a licensing agreement and a WaterSense partnership agreement with EPA.

Licensing Agreement: The legal document between EPA and a certification provider that grants the certification provider access to and conditions for authorizing the use and distribution of the WaterSense label.

Partnership Agreement: The formal agreement between EPA and the builder and between EPA and the certification provider that delineates activities (partner pledges and EPA commitments) to be conducted by each party, program benefits, and exclusions.

Program Administrator: An independent organization that is approved by EPA to oversee certification providers. The program administrator will train certification providers in accordance with training materials prepared by WaterSense and will approve and oversee the certification providers' certification process as it relates to WaterSense.

Water-Efficiency Home Inspector (Inspector): An individual who provides inspection services for new homes in accordance with the specification. The inspector must be trained by a licensed certification provider in accordance with training materials prepared by WaterSense. In addition, the inspector must work for or be contracted with a licensed certification provider.

WaterSense Label: A registered certification mark that contains the words "WaterSense" and "Meets EPA Criteria" in a circular pattern around the WaterSense graphic "water drop" image. To signify compliance with the specification at the time of inspection, the WaterSense label will be provided to the builder partner by a licensed

certification provider in the form of a certificate, which shall contain a copy of the WaterSense label and other relevant information to identify the certified new home. References to the certificate are considered synonymous with the WaterSense label and as such, the terms may be used interchangeably throughout this document.

II. Overview of Certification Process

- EPA develops criteria for the inspection, labeling, and oversight of new homes for the WaterSense program.
- Program administrator submits memorandum of agreement (MOA) and supporting documentation to EPA.
- EPA evaluates and approves program administrator.
- Program administrator evaluates, trains, and approves certification providers.
- Certification provider signs partnership agreement and licensing agreement with EPA.
- EPA licenses certification provider and supplies the certificate template with the WaterSense label.
- Program administrator provides WaterSense program materials to licensed certification provider.
- Licensed certification provider hires, trains, and oversees inspectors.
- Builders sign partnership agreements with EPA.
- Builder partners request certification for individual homes from licensed certification provider.
- Inspector evaluates home and submits documentation to licensed certification provider.
- Licensed certification provider issues WaterSense label to builder partner.
- Licensed certification provider reports quarterly to EPA on number and location of WaterSense labeled new homes.

III. Procedures and Requirements for Program Administrators

WaterSense will approve program administrators to evaluate, approve, and oversee certification providers. In addition, program administrators will provide EPA ongoing support as described in this section.

A summary of the program administrator's roles and responsibilities, as described in this section, is provided in Table 1.

A. Application Procedures for Program Administrators

A program administrator must submit an application to EPA to approve and oversee certification providers for WaterSense. The application must include the following documentation:

i. A letter declaring intent to participate in the WaterSense program as a program administrator

The letter must contain declarations and/or attached documentation to support the following requirements:

a. Demonstrate impartial governance

The organization must prove impartial governance by demonstrating that it:

- Does not directly inspect or certify new homes for the WaterSense program or issue the WaterSense label to builder partners;
- Maintains open membership for all potential licensed certification providers; and
- Has established a governing board of directors or executive committee composed of a diverse group of members representing various aspects of the home building industry, which may include, but is not limited to, water-efficiency and home-energy experts, architects, engineers, landscape designers, certification providers for other green building programs, and/or other stakeholders as appropriate.

b. Demonstrate policies and procedures governing oversight of certification providers

The organization must provide documentation that its by-laws, governing policies, and procedures are applicable and effective for the approval and oversight of certification providers that provide services for the WaterSense program.

The organization must provide documentation of its policies and procedures related to the oversight of certification providers, including:

- A copy of its technical standards for approval of and oversight procedures for certification providers;
- Record-keeping procedures to document and track certification providers;
- Quality control procedures for managing certification providers, including procedures for disciplining certification providers that do not follow the quality control procedures;
- Procedures to investigate the complaints, dismissal, and appeals of certification providers;
- A business code of ethics to which certification providers must agree to abide;
- A complaint resolution process for the certification provider and the program administrator;

- Documentation of its policies and procedures for ensuring that each certification provider meets the requirements specified in Section III.C.ii.; and
- Any other specific quality assurance steps that the program administrator will undertake to ensure the quality of the certification provider's work.

ii. Memorandum of agreement

The application must be accompanied by a signed copy of the MOA, which outlines the terms and conditions for providing program administration services for WaterSense. Contact the WaterSense Helpline at (866) WTR-SENS (987-7367) or watersense@epa.gov for a copy of the MOA.

iii. Point of contact

The program administrator must designate a point of contact in its application and must provide that individual's contact information. This point of contact will be responsible for communicating and disseminating information to and from EPA as appropriate or requested regarding the WaterSense program.

B. EPA Approval of Program Administrators

Upon receipt and evaluation of the application and supporting documentation, if all criteria are satisfactorily met, EPA will notify the program administrator that it has been approved to provide services for WaterSense and will return a signed and executed copy of the MOA. In addition, EPA will provide the approved program administrator with the inspector training materials, inspection guidance, and inspection forms to disseminate to licensed certification providers.

Once approved and notified, EPA will post the program administrator's contact information, including the designated point of contact, on the WaterSense Web site. The program administrator is then able to begin recruiting and approving certification providers in accordance with this document.

C. Responsibilities of Program Administrators

i. Training of certification providers

The program administrator is required to conduct training sessions for certification providers, which will instruct certification providers' quality assurance designees how to train their inspectors to properly conduct and document new home inspections. The program administrator must inform potential licensed certification providers of when and where the training will be offered. The program administrator will supply the certification provider with documentation that the training requirement was fulfilled.

ii. Approval of certification providers

Upon receipt of a certification provider's application to offer services for WaterSense, the program administrator will evaluate the certification provider's capability and competence to provide training of its inspectors, oversee the inspections, and issue the WaterSense label. This may include, but is not limited to, an evaluation of the certification provider's:

- Quality assurance designee, all relevant contact information, his or her minimum responsibilities outlined in Section IV.A.i. of this document, and a copy of a formal agreement between the certification provider and quality assurance designee;
- Documentation of the quality assurance designee(s)'s attendance at a certification provider training session;
- Procedures for ensuring the inspectors' ability to perform accurate inspections, including a requirement that the certification provider's quality assurance designee re-inspect/co-inspect each inspector's first three inspections as well as one home or 1 percent of the certified homes annually thereafter, whichever is greater;
- Inspector conflict of interest disclosure, which must be accompanied by an agreement to provide advanced disclosure of any conflicts to the builder partner/homeowner;
- Inspection record-keeping provisions including the quality assurance record for each home (copies of the documentation provided by the inspectors) and a registry of all of the certification provider's inspectors that have successfully completed training on the WaterSense New Homes program;
- Inspector discipline provisions, which must include, at a minimum, progressive discipline procedures including probation, suspension, and termination;
- Inspector quality control procedures, including the minimum oversight requirements as described in Section IV.C.iii. of this document; and
- Complaint resolution process including documentation of procedures to respond to and resolve complaints involving the inspections and/or certifications, a requirement to inform clients of the complaint resolution process, and maintenance for a minimum of three years of records of all complaints received and response to complaints.

Upon successful completion of the evaluation, the program administrator will supply the certification provider with documentation of approval to submit to EPA.

iii. Verifying partnership and licensure of approved certification providers

Once EPA has licensed a certification provider to offer services for WaterSense, the certification provider must submit proof of both the executed partnership and licensing agreements to the program administrator that originally provided its approval. This indicates to the program administrator that the certification provider has completed all of the requirements necessary to offer services for

WaterSense. The program administrator will then supply the certification provider with the inspector training materials, inspection guidance, and inspection forms. The program administrator shall verify the certification provider's licensure by checking the list of licensed certification providers that will be maintained on the WaterSense Web site.

D. Ongoing Support

i. Maintain registry of approved licensed certification providers

Program administrators must maintain a registry of the licensed certification providers they have approved to certify new homes for the WaterSense program. Program administrators should only add certification providers to this registry once the certification provider has submitted proof of EPA partnership and licensure. The registry should include the licensed certification provider's contact information.

ii. Oversee licensed certification providers

The program administrator is responsible for overseeing the licensed certification providers in accordance with its technical standards as outlined in Section III.A.i.b. This may include but is not limited to:

- An annual review of files from all of the licensed certification providers it approved to ensure that the proper quality assurance is being conducted, including an evaluation that the certification provider is meeting its oversight responsibilities as outlined in Section IV.C.iii. of this document; and
- Periodically accompanying licensed certification providers on any routine field assessment of inspections conducted for the WaterSense program.

If the program administrator discovers any issues during its oversight activities, or otherwise, it should institute its process for disciplining licensed certification providers. If the discipline procedures do not result in corrective action to the satisfaction of the program administrator, the program administrator must contact EPA. EPA will investigate the issue and determine what further action is necessary, including and up to termination of the certification provider's partnership and licensing agreements.

iii. Update licensed certification providers of any relevant WaterSense program changes

Program administrators must maintain regular communication with its licensed certification providers, informing them of any changes to the program's requirements and any implications for the licensed certification providers' current status. EPA will communicate any program changes directly to the program administrator.

IV. Procedures and Requirements for Licensed Certification Providers

Licensed certification providers hire or contract with inspectors and oversee the inspection of new homes for WaterSense. Licensed certification providers also conduct training of inspectors in accordance with training materials prepared by WaterSense. Licensed certification providers are responsible for providing the builder partner with the WaterSense label for each certified new home and providing EPA with ongoing support as described in this section.

A summary of the licensed certification provider's roles and responsibilities, as described in this section, is provided in Table 2.

A. Procedures for Becoming a Licensed Certification Provider

i. Designate personnel responsible for quality assurance

WaterSense requires each licensed certification provider to have at least one quality assurance designee. This person(s) must be named in the application to both the program administrator and the partnership agreement with EPA. The quality assurance designee is responsible for:

- Training the licensed certification provider's inspectors on how to properly conduct and document inspections and maintaining documentation of trainings;
- Re-inspecting/co-inspecting each inspector's first three probationary inspections;
- Annually re-inspecting/co-inspecting one home or 1 percent of the homes each inspector has inspected for WaterSense, whichever is greater;
- Annually conducting a comprehensive review of 10 percent of each inspector's files;
- Maintaining the licensed certification provider's quality assurance files; and
- Coordinating with the program administrator as required on all quality assurance activity oversight.

The quality assurance designee must meet the following requirements:

- Must not perform quality assurance functions for WaterSense for any inspections that he or she conducts or in which he or she is involved;
- Must have a minimum of one year of experience conducting inspections for WaterSense or another green building program; and
- Must have a formal agreement with the licensed certification provider agreeing to comply with all of the quality assurance oversight activities required by the program administrator.

ii. Attend certification provider training session

In order to become a licensed certification provider for WaterSense, all individuals responsible for quality assurance from the certification provider's organization must attend a training session. Training will be conducted either by EPA or an EPA-approved program administrator. The program administrator will provide the certification provider with documentation that the training requirement was fulfilled. This documentation must be submitted to the program administrator with the application to become a certification provider for WaterSense. A list of approved program administrators will be maintained on the WaterSense Web site.

iii. Submit application to a program administrator

Once the quality assurance designee has completed the certification provider training, the certification provider must submit an application to an approved program administrator. Each program administrator will have its own requirements and approval process and should be contacted directly for more information. Upon successful completion of the evaluation, the program administrator will supply the certification provider with documentation of approval.

iv. Approval From EPA**a. Application and agreements**

Once the certification provider is approved by the program administrator, the certification provider must submit a signed partnership agreement and a signed licensing agreement to EPA to offer services for WaterSense. The partnership and licensing agreements will be available on the WaterSense Web site. These agreements must be accompanied with documentation of approval from an approved program administrator. The certification provider must identify the quality assurance designee(s) and a point of contact on the partnership agreement. The point of contact may be different than the quality assurance designee and will be responsible for the communication and dissemination of information to and from EPA regarding the certification provider's services for the WaterSense program.

b. Obtaining the WaterSense label

Once EPA receives the signed partnership and licensing agreements and reviews the supporting documentation, it will sign the partnership and licensing agreements and return copies to the certification provider along with an electronic copy of the certificate template, which contains the WaterSense label.

The receipt of the certificate template and copies of the executed agreements signifies the approval and licensure of the certification provider. EPA will maintain a listing of licensed certification providers on the

WaterSense Web site. Builder partners will contact licensed certification providers directly to initiate the inspection, certification, and labeling process.

c. Obtaining materials to train inspectors

Upon licensure to provide services for WaterSense, the certification provider must submit proof of the executed partnership and licensing agreements to the program administrator that originally provided its approval. This indicates to the program administrator that the licensed certification provider has completed all of the requirements necessary to offer services for WaterSense. The program administrator will then supply the licensed certification provider with inspector training materials, inspection guidance, and inspection forms. The licensed certification provider must use these materials to train its inspectors that wish to inspect new homes for WaterSense.

With the receipt of the inspector training materials, inspection guidance, and inspection forms, the licensed certification provider can begin training its inspectors and offering its inspection and certification services for WaterSense to builder partners.

B. Responsibilities of a Licensed Certification Provider

i. Inspector administration and training

The licensed certification provider is responsible for hiring or contracting with inspectors to complete the inspection of new homes for the WaterSense program. As part of the administration of its inspectors, the licensed certification provider must provide training in accordance with inspector training materials prepared by WaterSense and provided by the program administrator. The licensed certification provider's quality assurance designee must keep documentation of all its inspectors' training and must provide records of training to the program administrator upon request. The licensed certification provider must also provide those inspectors that completed the training with the materials and guidance necessary to conduct the inspections. The materials should only be supplied to those inspectors who have successfully completed the required training.

ii. Application and verification of builder partnership agreement with EPA

The builder partner must apply for certification and the WaterSense label on an individual home basis. To initiate the inspection and certification process, the builder partner must contact a licensed certification provider and designate each home it intends to have certified. The licensed certification provider will provide the builder partner with a list of inspectors and/or will assign the builder partner

an inspector to coordinate the inspection. Only inspectors who have successfully completed training on the WaterSense New Homes program shall be provided or assigned to the builder partner. The payment for certification services is not to be based on the home passing the inspection.

As a condition for applying to have their home(s) certified and labeled for conformance to the specification, builder partners are required to have a signed WaterSense partnership agreement. The licensed certification provider shall verify that this partnership agreement is in place (and signed by both parties) prior to issuing the WaterSense label. To verify the partnership agreement, the licensed certification provider should check the WaterSense Web site for a current list of builder partners. If the builder is not listed on the WaterSense Web site, the licensed certification provider can verify the partnership agreement by contacting the WaterSense Helpline at (866) WTR-SENS (987-7367) or watersense@epa.gov.

iii. Issuing the WaterSense label

Once the inspector has completed the inspection, he or she will submit copies of the inspection checklists and supporting documentation to the licensed certification provider. Based on the inspection documentation, the licensed certification provider will make the certification decision.

If the builder partner intends to certify multiple homes within the same subdivision or planned community the licensed certification provider may offer builder partners the opportunity to participate in a sampling protocol, as described in Section V.B.ii. of this document. If this option is exercised, the inspector will inform the licensed certification provider of the homes that the relevant inspection covers. Based on the inspection documentation provided for the sample home, the licensed certification provider will make the certification decision for all of the homes covered by that inspection.

Once the licensed certification provider determines that the new home(s) meets all of the criteria contained in the specification, the licensed certification provider will fill out the certificate for each certified new home, which includes:

- A certification statement that the new home has been certified to meet EPA's criteria for water-efficient new homes;
- The name of the builder partner;
- The names of the inspector and the licensed certification provider's authorized representative;
- The address or lot number of the certified new home; and
- The date of inspection (for homes included in a sampling protocol, this date shall be the date that the sample home was inspected).

Both the inspector that conducted the inspection and the licensed certification provider's authorized representative will sign the certificate and the licensed certification provider will supply the builder partner with an original signed copy. The certificate may be signed with an electronic signature or stamp.

At the time the WaterSense label is issued, the licensed certification provider will also supply the builder partner with guidance on proper use of the label.

C. Ongoing Support

i. Maintain registry of inspectors

The licensed certification provider must maintain a registry of all of the inspectors it hires or contracts with that have successfully completed training to conduct new home inspections for WaterSense. This registry should include records of training and other documentation of inspectors' qualifications as appropriate.

ii. Collect data on certified new homes

The licensed certification provider must report at least quarterly to EPA regarding the new homes that they have certified. EPA will supply the licensed certification provider with a WaterSense labeled new home notification form. At a minimum, the licensed certification provider will supply EPA with the following information for each builder partner that it has issued a WaterSense label:

- Builder partner's contact information;
- Number of certified new homes and cities and states (or zip codes) in which the homes are built;
- Data collected for each home per the inspection checklists, aggregated to provide total numbers of installed appliances and systems (e.g., clothes washers, dishwashers, irrigation systems); and
- A summary of common nonconformities identified during the inspection process.

iii. Oversee inspections and maintain records of complaints

a. General oversight

The licensed certification provider's quality assurance designee will oversee inspectors in accordance with its own process relevant to the evaluation of the inspector's capability and competence to inspect new homes for WaterSense, including the activities outlined in Section IV.A.i.

b. Oversight for homes included in a sampling protocol

Every WaterSense labeled new home, regardless of whether it was directly inspected or certified as part of a sampling protocol, is subject to ongoing surveillance conducted by the licensed certification provider's quality assurance designee. If the inspector or his or her licensed certification provider discovers nonconformance with the specification requirements during any in-home re-inspection/co-inspection prior to its sale or initial occupancy, the licensed certification provider shall reserve the right to revoke

the builder partner's sampling eligibility and require a direct inspection of each home in addition to handling the issues in accordance with Section VII of this document. A builder partner can only become re-eligible for sampling after the inspector has directly inspected and the licensed certification provider has certified an additional seven homes within the subdivision or planned community.

c. Conflicts of interest disclosure

The inspectors are required to disclose to the licensed certification provider any existing or potential conflicts of interest associated with a particular home inspection.

The licensed certification provider shall ensure that all disclosures are adequately addressed by its quality control procedures. Examples of conflicts of interest include, but are not limited to:

- Providing consulting services for the home;
- Acting as the seller of the home or the seller's agent;
- Acting as the mortgagor for some portion of the financed payments on the home; and
- Supplying or installing products to facilitate the home meeting the specification criteria.

EPA allows the builder partner and/or homeowner to waive conflicts of interest after evaluation of the disclosure from the licensed certification provider. If the builder partner/homeowner grants a waiver, the inspector may inspect the home for WaterSense.

d. Handling complaints

If complaints are issued and warrant a response, the licensed certification provider must follow its complaint resolution policies and procedures. This must include a mechanism for ensuring and enforcing necessary corrective action and discipline of the affected inspector, as appropriate. The licensed certification provider may also increase the frequency of re-inspections/co-inspections conducted for the affected inspector.

iv. Allow EPA to accompany licensed certification provider on routine assessments of WaterSense inspections

EPA or its designee reserves the right to conduct periodic in-home inspections of WaterSense labeled new homes prior to their sale or initial occupancy and reviews of Web and other certification references and WaterSense label usages. In the case of an in-home inspection, EPA will seek permission and coordinate the inspection with the builder partner and the home's inspector and licensed certification provider, so as not to delay the certification process. If nonconformities with the specification are identified, EPA will notify the licensed certification provider and/or the builder partner and engage in corrective or other necessary action in accordance with Section VII of this document.

v. Update inspectors on relevant WaterSense program changes

Licensed certification providers must maintain regular communication with their inspectors, informing them of any changes to the training or inspection requirements that may affect their ability to perform inspections for WaterSense. The licensed certification provider shall communicate such changes to its inspectors within 30 days of notification from either EPA or the program administrator. Inspectors shall implement the changes within 90 days of notification by the licensed certification provider.

V. Procedures and Requirements for Water-Efficiency Home Inspectors

Inspectors inspect new homes in accordance with the minimum criteria contained in the specification. To provide inspection services for WaterSense, an inspector must:

- Complete the training requirements as outlined in this section;
- Work for, or contract with, a certification provider that is licensed by EPA; and
- Disclose existing or potential conflicts of interest to the licensed certification provider for all inspections related to WaterSense.

Other responsibilities of inspectors are also outlined in this section.

A summary of the inspector's roles and responsibilities, as described in this section, is provided in Table 3.

A. Inspector Training and Administration

i. Training of inspectors

An inspector must demonstrate a knowledge base and skill set to conduct inspections of new homes for WaterSense. As part of that demonstration, the inspector must attend training conducted by a licensed certification provider's quality assurance designee. EPA will maintain a listing of licensed certification providers on the WaterSense Web site.

ii. Employment of inspectors

To provide inspections of new homes for WaterSense, inspectors who have completed the required training must work for, or contract with, a licensed certification provider. A licensed certification provider should be contacted directly for information on becoming a water-efficiency home inspector. A list of licensed certification providers will be maintained on the WaterSense Web site.

In addition, the inspector must disclose to the licensed certification provider any existing or potential conflicts of interest as described in Section IV.C.iii.c. of this document.

B. New Home Inspection

i. General procedures

For each new home, the inspector must evaluate the following three aspects against the requirements of the specification:

- Minimum indoor water-efficiency criteria;
- Minimum outdoor water-efficiency criteria; and
- Builder-prepared homeowner operating manual.

EPA has prepared inspection guidance and an inspection checklist containing the inspection criteria and minimum features a home must possess in order for it to meet the criteria contained in the specification. The licensed certification provider will supply these materials to the inspector. The inspector must utilize the inspection checklist, or other method of documentation that contains all of the minimum information in the inspection checklist, to document the home's water-efficiency features and compliance with the specification's criteria. Prior to the inspection, the inspector shall provide the builder partner with copies of the forms and materials he or she intends to use as part of the inspection process.

Each of the new home evaluation aspects is further described in the specification and *Inspection Guidelines for WaterSense Labeled New Homes*. If the inspector determines the new home does not conform in any area, and if corrective actions are appropriate and warranted, the inspector can work directly with the builder partner to ensure that the nonconformity is corrected before finalizing the inspection. All nonconformities and corrective actions must be noted as part of the inspection documentation.

ii. Procedures for multiple homes in a subdivision or planned community

The licensed certification provider may offer builder partners the opportunity to participate in a sampling protocol if they intend to have multiple homes certified within the same subdivision or planned community. If the licensed certification provider offers sampling, the inspector must directly inspect and the licensed certification provider must certify the builder partner's first seven homes within the subdivision or planned community. These inspections will be conducted following the general procedures outlined in Section V.B.i.

Upon the builder partner's fulfillment of the sampling protocol eligibility requirement, the inspector should institute the following process for sampling:

- Randomly select one home for sampling from every batch of seven homes that are scheduled for completion within 30 days of one another;
- Inspect the sample home in accordance with the general procedures described in Section V.B.i. of this document; and
- For every home with an irrigation system installed, the inspector will verify that the builder partner had the irrigation system audited by a

WaterSense irrigation partner, regardless of whether the home is being directly inspected or certified as part of the sampling protocol.

If the randomly selected home does not successfully pass the inspection, the licensed certification provider cannot certify any additional homes for the builder partner using the sampling protocol until seven new homes have been directly inspected and certified. All homes receiving certification through the sampling protocol are subject to the oversight procedures in Section IV.C.iii.b.

C. Notify Licensed Certification Provider of New Home Inspections

Upon inspection, the inspector will notify and supply the licensed certification provider with a copy of all relevant paperwork documenting the new home's inspection. In the case of homes included in a sampling protocol, the inspector will inform the licensed certification provider of the homes that the relevant inspection covers. At a minimum, the inspector must report the following information to the licensed certification provider for each inspected new home:

- Builder partner contact information;
- Address (or lot number) of inspected new home (and address or lot number of any new homes covered by a relevant sampling protocol);
- Documentation of the home's compliance with the requirements contained in the specification (i.e., a completed inspection checklist)—this includes any initial nonconformities identified and corrective actions taken;
- Name and contact information for the inspector; and
- Inspection date(s).

Based on the inspection documentation provided by the inspector, the licensed certification provider will make the certification decision. If the new home has been determined to meet all of the criteria contained in the specification, both the inspector that conducted the inspection and the licensed certification provider's authorized representative will sign the certificate(s). The certificate may be signed with an electronic signature or stamp. The licensed certification provider will issue the signed certificate to the builder partner.

D. Ongoing Support

i. Maintain file of inspected homes

The inspector is responsible for maintaining a file of all of the homes he or she has inspected for a minimum of three years. For each home, the file must contain, at a minimum, the information submitted to the licensed certification provider and listed in Section V.C. above. The inspector must submit to an annual comprehensive review of a minimum of 10 percent of his or her files by the licensed certification provider's quality assurance designee, as part of the licensed certification provider's quality assurance process.

ii. Maintain status as required by licensed certification provider

To maintain status as an inspector for WaterSense, the inspector must maintain any training and other requirements specified by the licensed certification provider.

VI. Procedures and Requirements for Builder Partners

Builder partners construct water-efficient new homes that meet or exceed the criteria contained in the specification.

A summary of the builder partner's roles and responsibilities, as described in this section, is provided in Table 4.

A. Partnership Agreements with EPA

Builders must sign a partnership agreement with EPA as described in Section IV of the *WaterSense Program Guidelines* if they wish to obtain the WaterSense label for their homes.

B. New Home Certification and Labeling

Achieving and using the WaterSense label in conjunction with a water-efficient new home is contingent upon inspection and certification that the home meets the minimum criteria contained in the specification.

i. Application to a licensed certification provider

The builder partner must apply for certification on an individual home basis. To initiate the inspection and certification process, the builder partner must contact a licensed certification provider, as described in Section IV.B.ii of this document. A list of licensed certification providers will be maintained on the WaterSense Web site.

Builder partners who intend to certify multiple homes within the same subdivision or planned community may be eligible to participate in a sampling protocol, as offered and coordinated by the licensed certification provider. If the licensed certification provider offers sampling, the builder partner must meet the eligibility requirements outlined in Section V.B.ii.

The builder partner is responsible for paying the licensed certification provider for all services and costs associated with the new home inspection, certification, and issuance of the WaterSense label.

ii. **New home certification and labeling**

The WaterSense label indicates that the new home has been certified to conform to the specification. At the time the WaterSense label is issued, the licensed certification provider will also supply the builder partner with guidance on proper use of the label. The builder partner is then allowed to advertise that the new home conforms to the specification. Any promotion of the WaterSense label must be directly related to the certified new home.

iii. **Builder partner registry**

EPA will maintain a list of builder partners who have built or plan to build WaterSense labeled new homes. As part of the partnership agreement with EPA, the builder will provide EPA with:

- Contact information;
- Company Web site, if applicable; and
- A list of states and/or localities in which they build.

EPA will post this information on its builder partner registry.

The registry will also include the location(s) (city, state) and number of WaterSense labeled new homes for each builder partner.

iv. **Ongoing surveillance**

EPA or its designee reserves the right to conduct periodic in-home inspections of labeled homes prior to their sale or initial occupancy and to periodically review Web and other certification references and WaterSense label usages. In the case of an in-home inspection, EPA will seek permission and coordinate the inspection with the builder partner and the home's inspector and licensed certification provider, so as not to delay the certification process. If nonconformities with the specification are identified, EPA will notify the licensed certification provider and/or the builder partner and will engage in corrective or other necessary action in accordance with Section VII of this document.

VII. **Suspension and Withdrawal of the WaterSense Label From New Homes**

The licensed certification provider is responsible for notifying EPA of specific instances of nonconformity. Nonconformity may include, but is not limited to:

- Failure of a certified home to pass a re-inspection, where simple corrective action is unable to resolve the nonconformance;
- Receipt of formal complaints from home buyers or other interested parties indicating that the certified new home was generally misrepresented (e.g., multiple features do not comply with the specification); or

- Instances where the licensed certification provider discovers that a builder is fraudulently or falsely claiming that his or her homes have been certified and labeled in accordance with the specification and this certification system.

EPA is responsible for engaging the builder in corrective action and for determining when the use of the WaterSense label should be suspended or withdrawn due to nonconformance or improper use or reference to the WaterSense label.

Nonconformance may be determined through notification to EPA by the licensed certification provider as described above. EPA may also discover nonconformance or improper use or reference to the WaterSense label from its stakeholders, during its own in-home inspections, or during periodic reviews of certification and label usage. If EPA discovers nonconformance or certification and labeling issues, it will notify the licensed certification provider that issued the WaterSense label and will coordinate corrective action or, if necessary, label suspension or withdrawal.

WaterSense label suspension can occur for a limited period of time as specified by EPA. During the period of suspension, the builder partner is prohibited from using the WaterSense label in conjunction with the home in question and on any new home built after the issuance of a suspension, until such time as EPA indicates the suspension can be removed. The licensed certification provider will assist EPA as necessary by removing the WaterSense label from the home in question, determining when the terms for suspension removal have been fulfilled, ensuring that no new WaterSense labels are issued during the period of suspension, and upon EPA's approval, reissuing the WaterSense label to the builder partner for the home in question. The builder partner is responsible for paying the licensed certification provider for all services and costs associated with the necessary corrective action or suspension and reinstatement of a WaterSense label.

In more severe or repeated instances of nonconformity, improper use or reference to the WaterSense label, or failure to meet the requirements for reinstatement of a suspended WaterSense label, EPA will withdraw the WaterSense label from all of the builder partner's certified new homes that have not yet been sold. EPA will notify the builder partner that the certification and WaterSense label are being withdrawn. If the WaterSense label is withdrawn for any reason, EPA will require that the builder partner cease to advertise the certification of his or her homes and the label must be eliminated immediately from new homes not already sold. EPA will notify the licensed certification provider to inform them that the builder partner is no longer allowed to use or receive the WaterSense label and will decide whether termination of the partnership agreement or other corrective action is warranted. The licensed certification provider will assist EPA as necessary by removing the WaterSense label from all certified new homes that have not yet been sold and will not issue any new WaterSense labels to the builder partner. The builder partners are responsible for paying the licensed certification provider for all services and costs associated with the withdrawal of the WaterSense label.

Figure 1. New Home Certification Process

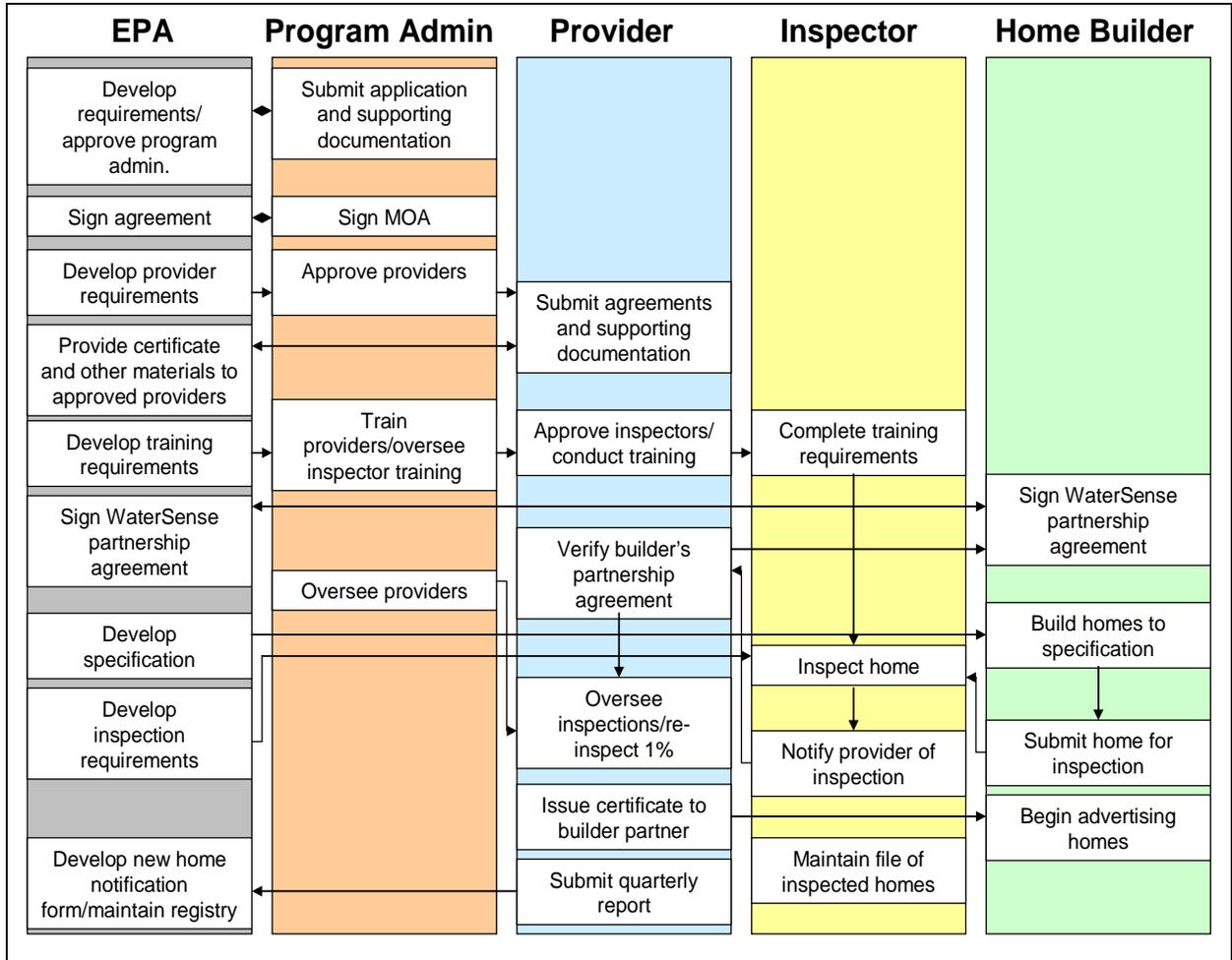


Table 1. Summary of Program Administrator Roles and Responsibilities

Role/Responsibility	Additional Information or Resources
Submit letter of intent and supporting documentation to EPA	➤ Application materials may be submitted to watersense@epa.gov
Enter into a Memorandum of Agreement (MOA) with EPA	➤ Contact the WaterSense Helpline, watersense@epa.gov , to obtain a copy of the MOA
Train certification provider's quality assurance designees	<ul style="list-style-type: none"> ➤ EPA will provide program administrators with certification provider training materials ➤ Supply certification providers with documentation of training
Evaluate and approve trained certification providers	➤ Supply certification provider with documentation of approval
Verify certification provider's partnership and licensure by EPA	<ul style="list-style-type: none"> ➤ Request documentation from certification provider ➤ EPA will maintain a list of licensed certification providers on the WaterSense Web site ➤ Contact the WaterSense Helpline, watersense@epa.gov, if the certification provider is not listed on Web site
Supply licensed certification provider with inspector training materials and inspection forms and guidance	➤ EPA will provide program administrator with inspector training materials, inspection forms and guidance
Maintain registry of approved certification providers	➤ Add certification providers to registry only upon proof of EPA partnership and licensure
Oversee licensed certification providers	<ul style="list-style-type: none"> ➤ Conduct oversight in accordance with its own technical standards for approval and oversight ➤ Institute certification provider discipline procedures, as necessary, in accordance with its own internal policies and procedures
Update licensed certification providers on relevant WaterSense program changes	➤ EPA will communicate any changes to program administrator

Table 2. Summary of Licensed Certification Provider Roles and Responsibilities

Role/Responsibility	Additional Information or Resources
Attend certification provider training conducted by EPA or an EPA-approved program administrator	<ul style="list-style-type: none"> ➤ This requirement is applicable to certification provider's quality assurance designee(s) ➤ EPA and/or program administrators will announce opportunities for certification provider training ➤ EPA will maintain a list of approved program administrators on WaterSense Web site ➤ Program administrator will provide documentation of training
Designate quality assurance personnel	<ul style="list-style-type: none"> ➤ Name designee in application to program administrator and partnership agreement with EPA
Submit application to program administrator	<ul style="list-style-type: none"> ➤ EPA will maintain a list of approved program administrators on WaterSense Web site ➤ Program administrator will supply certification provider with documentation of approval
Seek licensure and partnership with EPA	<ul style="list-style-type: none"> ➤ EPA will post partnership and licensing agreements on WaterSense Web site ➤ Agreements may be submitted to watersense@epa.gov ➤ Accompany agreements with documentation of program administrator approval
Receive WaterSense labeled new home certificate template from EPA	<ul style="list-style-type: none"> ➤ Template will be accompanied by executed agreements, and a licensed certification provider tool kit
Provide program administrator with proof of licensure	<ul style="list-style-type: none"> ➤ Program administrator will supply licensed certification provider with inspector training materials and inspection forms and guidance
Hire or contract with and train inspectors	<ul style="list-style-type: none"> ➤ Conduct training in accordance with materials provided by program administrator ➤ Licensed certification provider's quality assurance designee must track inspector training
Provide inspectors with inspection materials and guidance	<ul style="list-style-type: none"> ➤ Inspection materials and guidance may be obtained from the program administrator
Accept applications from builder, verify builder partnership agreement, provide/assign an inspector	<ul style="list-style-type: none"> ➤ Builder partner must designate individual homes for certification and labeling ➤ EPA will maintain a list of builder partners on the WaterSense Web site
Review inspection documentation and make certification decision	<ul style="list-style-type: none"> ➤ Builder partner may correct nonconformities, provided they are identified and corrective action is taken
Fill out, sign, and issue certificate to builder partner	<ul style="list-style-type: none"> ➤ Complete WaterSense labeled new home certificate template provided by EPA ➤ Inspector must also sign certificate
Provide builder partner with guidance on proper label use	<ul style="list-style-type: none"> ➤ EPA will supply label use guidance as part of the licensed certification provider's tool kit
Maintain registry of inspectors	<ul style="list-style-type: none"> ➤ Include inspector training records
Provide quarterly report to EPA regarding certified new homes	<ul style="list-style-type: none"> ➤ EPA will post a WaterSense labeled new home notification form on the WaterSense Web site

Role/Responsibility	Additional Information or Resources
Oversee inspectors	➤ Licensed certification provider must follow its own policies and procedures for inspector oversight, which include the minimum functions specified by EPA
Disclose conflicts of interest, as appropriate, to builder partner and/or homeowner	➤ Ensure disclosures are adequately addressed by its own internal quality control procedures
Handle complaints that may arise	➤ Follow its own internal complaint resolution policies and procedures
Submit to EPA oversight of WaterSense labeled homes	➤ EPA will coordinate in-home inspection oversight with the inspector, licensed certification provider, and builder partner
Update inspectors on relevant WaterSense program changes	➤ Program administrator will communicate any program changes to licensed certification providers

Table 3. Summary of Inspector Roles and Responsibilities

Role/Responsibility	Additional Information or Resources
Work for or contract with a licensed certification provider	➤ EPA will maintain list of licensed certification providers on WaterSense Web site
Attend training conducted by a licensed certification provider	➤ Licensed certification provider will supply inspection materials and guidance
Disclose to licensed certification provider existing or potential conflicts of interest	➤ Licensed certification provider will coordinate disclosure to builder partner and/or homeowner
Coordinate inspection assignments with licensed certification provider	➤ Builder partner will contact licensed certification provider to initiate inspection process
Schedule inspection and provide builder partner with copies of inspection materials	➤ Licensed certification provider may provide builder partner with a list of inspectors or assign an inspector to each project
Evaluate new home's conformance with specification	<ul style="list-style-type: none"> ➤ Licensed certification provider will supply inspection materials to inspectors ➤ If irrigation system is installed, verify it was audited by a WaterSense irrigation partner ➤ EPA will maintain a list of irrigation partners on WaterSense Web site
Work with builder partner to correct any nonconformities identified	➤ Note on inspection checklist any nonconformities and corrective actions taken
Supply licensed certification provider with a copy of completed checklists and supporting documentation for each inspected home	➤ Licensed certification provider will evaluate documentation and make certification decision
Sign the WaterSense labeled new home certificate	<ul style="list-style-type: none"> ➤ Sign certificate after licensed certification provider has certified the new home ➤ Licensed certification provider will issue certificate to builder partner
Submit to licensed certification provider's inspection oversight	➤ Licensed certification provider will follow its own oversight process
Maintain file of inspected homes and submit to an annual file review	➤ Licensed certification provider's quality assurance designee will review at least 10% of the inspection files
Maintain status as specified by licensed certification provider	➤ This could include training or other requirements
Submit to EPA oversight of WaterSense labeled new homes	➤ EPA will coordinate in-home inspection oversight with the inspector, licensed certification provider, and builder partner

Table 4. Summary of Builder Partner Roles and Responsibilities

Role/Responsibility	Additional Information or Resources
Sign a partnership agreement with EPA	<ul style="list-style-type: none"> ➤ EPA will post builder partnership agreement on WaterSense Web site ➤ EPA will provide builder partners with a builder partner tool kit and access to the partner Web site
Provide EPA with information for builder partner registry	<ul style="list-style-type: none"> ➤ EPA will obtain initial partner registry information from builder's partnership agreement ➤ EPA will update builder partner registry quarterly based on information from licensed certification providers
Contact a licensed certification provider to schedule an inspection	<ul style="list-style-type: none"> ➤ EPA will maintain a list of licensed certification providers on WaterSense Web site ➤ Designate each home to be certified
Work with inspector to inspect designated home(s) and address any issues of nonconformance	<ul style="list-style-type: none"> ➤ The inspector will supply builder partners with a copy of the inspection materials ➤ Nonconformities and corrective actions will be noted on inspection documentation
Properly advertise WaterSense labeled new home(s)	<ul style="list-style-type: none"> ➤ Licensed certification provider will supply builder partners with guidance on proper label use ➤ EPA will provide guidance on advertisement of WaterSense labeled new homes in the builder partner tool kit
Submit to licensed certification provider's ongoing surveillance including new home re-inspection/co-inspection	<ul style="list-style-type: none"> ➤ If nonconformities are identified, licensed certification provider will provide an opportunity for simple corrective action
Submit to EPA oversight of WaterSense labeled new homes, label use, and advertisement	<ul style="list-style-type: none"> ➤ EPA will coordinate in-home inspection oversight with the inspector, licensed certification provider, and builder partner ➤ If nonconformities are identified EPA will provide an opportunity for simple corrective action