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Agency of Human Services

Vermont Weatherization Program Notice 2023-02

Weatherization Assistance Program Eligibility Guidelines

To: Vermont Weatherization Assistance Program Providers

Subject: Eligibility Guidelines During HWAP Program Year 2023 (*July 01, 2022 – June 30, 2023*)

From: Office of Economic Opportunity – Weatherization Assistance Program

Issue Date: July 07, 2022

**This guidance supersedes any and all previously issued guidance related to the content herein—
including, but not limited to—WPNs, Memos, Grant Language, and Chapter 6.**

Income Eligibility Thresholds:

Department of Energy Grants (DOE):

DOE Weatherization income eligibility is set at 200% of the federal poverty level (FPL). All Weatherization projects that are funded by DOE must follow these income guidelines and DOE's eligibility rules.

Home Weatherization Assistance Program Grants (HWAP):

HWAP Weatherization income eligibility is set at 80% of current Area/County Median Income (AMI) or 80% of current State Median Income (SMI), whichever is greater.

Note that terms Area Median Income (AMI) and County Median Income (CMI) are used interchangeably and mean the same thing in Vermont's Weatherization Assistance Program.

American Rescue Plan Act – State Fiscal Recovery Grants (ARPA-SFR):

The same income eligibility listed above for HWAP grants shall also be used for the ARPA-SFR Grants.

American Rescue Plan Act – Low Income Home Energy Assistance Program Grants (ARPA-LIHEAP):

ARPA-LIHEAP income eligibility is set at 60% of State Median Income (SMI) as defined by the federal Office of Community Service (OCS). The household income thresholds to use for this funding through September 30, 2022 were detailed in the previously issued file, "2021-2022-Wx Income Guidelines Packet_OEO_Mid-PY-Final.xlsx". This grant is scheduled to end September 30, 2022.

Client Prioritization:

Weatherization services shall not be delivered on a first-come, first-serve basis. Clients waiting for services shall be prioritized as outlined on the WAP Rank worksheet within the enclosure entitled, "2022-2023-Wx Income Guidelines Packet_OEO_Final.xlsx".



Definition of Income – All WAP Grants:

The definition of income that shall be used to calculate household income levels for all Weatherization grants/projects is included in DOE's "WPN 22-3: 2022 Federal Poverty Guidelines".

There is also more information about: (1) Included vs. Excluded Income Types and (2) Auto-Qualified/Categorically Eligible Households below.

Note: The definition of income and the program eligibility rules that govern the WAP do not change when income definitions/eligibility rules in other non-WAP programs happen or when tax law changes occur.

Additional Information About Included vs. Excluded Income Types – All WAP Grants:

- A. Any money, wages and/or salaries that is earned by a dependent child of the applicant household shall be considered excluded income when calculating household income. A dependent child is an 18-year-old or younger member of the household that was claimed as a dependent on the applicant's most recent tax filing.
- B. Disability income received from the Social Security Disability Insurance program (SSDI)—a program covered by Title II of the Social Security Act—shall be considered included income when calculating household income.
- C. Any income received from the Supplemental Security Income program (SSI) program—a program covered by Title XVI of the Social Security Act—shall be considered included income when calculating household income. The SSI benefits shall be considered included income no matter who is receiving them, adult or child. *Note: Even though households receiving SSI benefits are auto-qualified/categorically eligible for WAP, the benefit amounts still need to be included when tallying up the household income amount.*
- D. Disability income received from the U.S. Department of Veterans Affairs shall be considered included income when calculating household income.
- E. Survivor Benefits paid from the Social Security Administration shall be considered included income even if the person receiving the benefits is a minor.
- F. Income/Stipends received from AmeriCorps, AmeriCorps VISTA or the Peace Corps shall be considered included income when calculating household income.
- G. 3SquaresVT benefits are not paid as income to a household. These benefits are excluded from the calculation of household income.
- H. Reach Ahead benefits are not paid as income to a household. Reach Ahead benefits are paid to a household as additional 3SquaresVT benefits. Therefore, Reach Ahead benefits are excluded from the calculation of household income.
- I. All Reach First, Reach Up and/or Post-Secondary Education (PSE) benefits shall be considered included income when calculating household income unless the Reach Up payment(s) are issued in the form of Caretaker Grant(s). *Note: Even though households receiving these Reach First, Reach Up and/or PSE benefits are still auto-qualified/categorically eligible for WAP, the benefit amounts still need to be included when tallying up the household income amount.*
- J. Reach Up payments issued to an adult in the form of a Reach Up Caretaker Grant shall be considered excluded income when calculating household income because Reach Up Caretaker Grants are issued solely as a means of child support for the child(ren).

- K. Stimulus payments distributed by the government as one-time payments shall be considered excluded income.
- L. Stimulus payments distributed by the government as recurring payments e.g., enhanced unemployment benefits, shall be considered included income.

Additional Information About Auto-Qualified/Categorically Eligible Households – All WAP Grants:

- A. Any household with at least one household member that has received any income from the Supplemental Security Income program (SSI)—a program covered by Title XVI of the Social Security Act—within the prior 12-month period shall be considered auto-qualified/categorically eligible to receive Weatherization services. This auto-qualification for the household is applicable even if it is a child in the household who is receiving the SSI benefit.
- B. Any household with at least one household member that has received Reach First, Reach Up and/or PSE benefits within the prior 12-month period shall be considered auto-qualified/categorically eligible to receive Weatherization services.
--Exception: There is only one exception to this auto-qualification policy. A household shall not be considered auto-qualified/categorically eligible to receive Weatherization services whenever a reach up payment is issued in the form of a Reach Up Caretaker Grant to an adult household member and both of the following are true:
 - 1. The Reach Up Caretaker Grant is issued solely as a means of child support for the child(ren),
-and-
 - 2. Neither the named adult, or any other adult household member, has received Reach First, Reach Up and/or PSE benefits for themselves within the prior 12-month period.
- C. Any household in an “Active” Seasonal Fuel Assistance status, within the State of Vermont’s ACCESS database, shall be considered auto-qualified/categorically eligible to receive Weatherization services. This is applicable to all households regardless of the household income level in relation to the federal poverty level, the state median income level or the area/county median income level.¹ This is also applicable regardless of fuel liability, i.e., whether the household member(s) pay for their heat directly or their heat is included in their rent/provided by the property owner.
--Exception: There is only one exception to this auto-qualification policy. A household shall not be considered auto-qualified/categorically eligible to receive Weatherization services when the only Seasonal Fuel Assistance Benefits received are/were for a “Roomer/Boarder”.
- D. Any household that meets the HUD-based categorical eligibility requirements outlined within DOE’s “WPN 22-5: Expansion of Client Eligibility in the Weatherization Assistance Program” shall be considered auto-qualified/categorically eligible to receive Weatherization services. DOE’s WPN 22-5 and supporting materials can be found at: <https://www.energy.gov/eere/wap/articles/weatherization-program-notice-22-5-expansion-client-eligibility-weatherization>

¹ DOE allows the basis for WAP eligibility to be that an applicant household has received assistance under the Low-Income Home Energy Assistance Act of 1981, provided that such basis is at least 200 percent of the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget. Vermont’s Seasonal Fuel Assistance Program currently meets this eligibility criterion in their federally approved LIHEAP State Plan. Therefore, all “Active” Seasonal Fuel households are auto-qualified/categorically eligible to receive WAP services as outlined in this program notice.

Additional Policies for Multi-Family (MF) Weatherization Projects:

Determining the Number of Dwelling Units in a Multifamily Project – All WAP Grants:

The number of dwelling units in a multifamily project shall be determined based on the grand total number of units at a project address/ project site. For example, a duplex and a triplex on the same project site shall still be classified as one, 5-dwelling-unit project, even if each of the two buildings will get weatherized at different times.

- The presence of more than one building does not change a large multi-family project into multiple small multi-family projects.
- Performing weatherization services for all buildings at once vs. performing weatherization services in phases does not change the total number of units for the overall project.

The number of dwelling units in a scattered site project need to be determined on a case-by-case basis. OEO can consult with local WAPs to make these determinations for scattered site projects.

DOE Grants:

One of the following criteria must be met within all multi-dwelling unit buildings 2(+) units in size regardless of if an individual building is part of a larger project or not:

- A. A minimum of 66% of the dwelling units within a multi-dwelling unit building must be occupied by a family/household that meets the income eligibility requirement, or
- B. A minimum of 50% of the dwelling units within duplexes, four-unit buildings and certain eligible types of large multi-family buildings must be occupied by a family that meets the income eligibility requirement, or
- C. The property meets the HUD based categorical eligibility requirements outlined within DOE's WPN 22-5: Expansion of Client Eligibility in the Weatherization Assistance Program. DOE's WPN 22-5 and supporting materials can be found at: <https://www.energy.gov/eere/wap/articles/weatherization-program-notice-22-5-expansion-client-eligibility-weatherization>

DOE's Maximum Allowable Project Investment Determination for Multi-Family Projects 2 (+) Units in Size:

When investing in 2 (+) unit multi-family projects—with DOE funds only—multiply the total number of income-eligible dwelling units in the project by the current allowable DOE average-cost-per-unit (ACPU).

This amount will be the maximum amount of project funding available—for the project-as-a-whole—including any weatherization investment into common areas of the building(s) and/or into the dwelling units that did not meet the income-eligibility requirements.

Note that there is no comparable policy to this project investment determination for HWAP, ARPA-SFR, or ARPA-LIHEAP projects. It is unique to DOE.

HWAP Grants:

For Any Multi-Family Buildings 2 (+) units in size

One of the following two paths to eligibility must be used within all multi-dwelling unit buildings 2(+) units in size, regardless of if an individual building is part of a larger project or not:

- A. **Income Qualify the Building:** At least 25% or more of the tenants in the building are income eligible for the Weatherization Program, or
- B. **Demonstrate Auto Qualification for the Building:** The property is (1) listed on a current HWAP approved list and/or (2) the property meets the HUD-based categorical eligibility requirements outlined within DOE's "WPN 22-5: Expansion of Client Eligibility in the Weatherization Assistance Program". DOE's WPN 22-5 and related materials can be found at:

<https://www.energy.gov/eere/wap/articles/weatherization-program-notice-22-5-expansion-client-eligibility-weatherization>

For Multi-Family Buildings 5 (+) units in size

In addition to the two possible paths to eligibility above, there is third path to eligibility that can be used in 5 (+) unit buildings only. This path to eligibility cannot be used in any 2-4 unit buildings, even if a larger 5 (+) unit multi-family project consists of multiple 2-4 unit buildings.

- C. **Rent Qualify the Building:** At least 50% of the units are weatherization affordable, and at least one tenant of the building has applied for the Weatherization Program and has been determined to be eligible. For purposes of this subdivision, "weatherization affordable" means a unit having a rent that is established at less than 30 percent of the income level established by computing 80 percent of the area median income level or 80 percent of the State median income level, whichever is higher, for the relevant household size. Relevant household size means the number of bedrooms in the unit, plus one.²

For rent qualification determinations, WAP providers shall utilize Table 3 within the enclosure entitled, "2022-2023-Wx Income Guidelines Packet_OEO_Final.xlsx".

ARPA-SFR & ARPA-LIHEAP Grants

Weatherization services funded by the ARPA-SFR or ARPA-LIHEAP grants shall only be performed within projects up to 4 dwelling units in size. This 4-dwelling-unit project-maximum is applicable regardless of how many buildings are present on a project site or how many phases a project will be completed in. For example, a duplex and a triplex on the same project site, where each of the two buildings will get weatherized months apart from one another, shall still be classified as one, 5-dwelling-unit project. Therefore, this example project is non-eligible for ARPA-SFR or ARPA-LIHEAP funding. This example project could still be eligible for Weatherization services in general, but the work would have to be funded by the HWAP or the DOE grants. Neither the ARPA-SFR or ARPA-LIHEAP grants could be used.

Additionally, Weatherization services funded by the ARPA-SFR or ARPA-LIHEAP grants shall only be performed within 2-4 dwelling unit projects where 100% of the project's dwelling units are occupied by income-eligible households. For example, a quadrplex with three income-eligible households and one non-income eligible household shall not be weatherized using ARPA-SFR or ARPA-LIHEAP funding. This example project could still

² Source for rent qualification policy is The Vermont Statutes | Title 33 | Chapter 025

be eligible for Weatherization services in general, but the work would have to be funded by either the HWAP or the DOE grants. Neither the ARPA-SFR or ARPA-LIHEAP grants could be used.

Categorical eligibility can now be cited to establish the eligibility of a dwelling unit within an ARPA-SFR or ARPA-LIHEAP funded project as long as the minimum requirements for income documentation and household characteristics disclosure are met. See requirements in the summary chart on the next page for details.

No projects that have any number of vacant units can be Weatherized using ARPA-SFR or ARPA-LIHEAP funding regardless of who may occupy the unit(s) in question at some future point in time (and what their income level(s) may be).

WAP Program Eligibility Determination – 2-4 Dwelling Unit Projects – All WAP Grants:

Effective since the issuance of VT WPN 2022-02, no Weatherization Assistance Program application(s) for services within 2-4 dwelling unit projects shall be considered complete, i.e., no WAP services can be delivered until all programmatically required household characteristics—including household income ranges and select demographics—are disclosed to the local WAP agency by every household/ every dwelling-unit within the overall project. The OEO issued form(s) that shall be used to collect and document the required information disclosure are Forms 698 and 699. This program policy is applicable to **all** 2-4 dwelling unit Weatherization projects, not just to ARPA-SFR and ARPA-LIHEAP funded projects.

This policy is not applicable to every 2-4 dwelling unit building. It is a project-size-based policy. If a large, 5(+) unit project consists of multiple, 2-4 unit buildings this policy does not apply to any of the buildings in that project because the total project size exceeds 4 units.

Only the minimum number of dwelling units within a 2-4 dwelling unit project need to be deemed eligible for WAP services via the complete client application packet/ process, which includes an income/ program-eligibility verification process performed by the local WAP. Once the local WAP has verified the income/ program-eligibility for the minimum number of households/ dwelling units within the overall project, the process used for the remaining households/ dwelling units can shift to a client-disclosure method. This client-disclosure method requires all households residing in the additional dwelling units to disclose the minimum required household characteristics to the local WAP on the OEO issued form(s). For these additional dwelling units, there is no income/ program-eligibility verification obligation for the local WAP. This is exclusively a client-disclosure requirement. The extent of the local WAPs obligation is to collect and record the information disclosed by the households residing in the additional dwelling units and to ensure that none of the required fields on the OEO issued form(s) are blank. Summary information about 2-4 dwelling unit WAP project eligibility—by individual funding source—is charted on the following page.

Summary Chart | 2-4 Dwelling Unit WAP Project Eligibility | by Grant/Funding Source:

WAP Grant/ Funding Source	Min. % of Dwelling Units within overall 2-4 Unit Multi-Family Project Required to Complete the Full Application & Undergo the Full Program Eligibility/ Income-Verification Process	Min. % of Dwelling Units within overall 2-4 Unit Multi-Family Project Required to be occupied by program/ income-eligible households <i>(using the eligibility rules for that specific grant/ funding source)</i>	After the min. requirements are satisfied, can remaining dwelling units within the overall project use the client disclosure method <u>without</u> undergoing a full application & income-verification process?	What if there are some # of dwelling units within the 2-4 unit project occupied by non-WAP eligible households? Can Weatherization proceed?
HWAP	25% minimum	25% minimum <i>based on either</i> <i>(a) HH income</i> <i>-and/or-</i> <i>(b) Categorical eligibility</i>	Yes	Yes , as long as the min. eligibility requirements for the project as-a-whole are met, Weatherization can proceed using this funding source.
DOE	50% min. for 2 or 4 unit projects 66% min. for 3 unit projects	50% min. for 2 or 4 unit projects 66% min. for 3 unit projects <i>based on either</i> <i>(a) HH income</i> <i>-and/or-</i> <i>(b) Categorical eligibility</i>	Yes	Yes , as long as the min. eligibility requirements for the project as-a-whole are met, Weatherization can proceed using this funding source.
ARPA- SFR & ARPA- LIHEAP	25% minimum	100% minimum <i>based on either</i> <i>(a) HH income</i> <i>-and/or-</i> <i>(b) Categorical eligibility</i>	Yes	No , Weatherization is not allowed using this funding source unless 100% of the dwelling units are <u>occupied</u> by income-eligible households.

Effective Date/Action to be taken:

This guidance is effective July 01, 2022 through June 30, 2023.

Documents enclosed with this guidance:

- DOE's WPN 22-3, 2022 Federal Poverty Guidelines
- 2022-2023-Wx Income Guidelines Packet_OEO_Final.xlsx
- Demystifying Weatherization Funding Source Rules_07-06-2022.pdf