

The Oregon Department of Energy is proposing temporary administrative rule amendments that reflect changes to the Oregon Rental Home Heat Pump Program made during the 2024 legislative session. Additional rule amendments expand the eligibility criteria for incentives for low- and moderate-income tribal members, improving access to the higher rebates and grants for these tenants through both tribally allocated funds and the general ORHHPP fund. Proposed amendments to program rules are reflected in **bold**.

Temporary Rule Amendment Proposals

330-280-0070

Low- or Moderate-Income Eligibility

(1) In order to qualify for a rebate offered under the program for low- or moderate-income tenants, the owner of the dwelling where the installation will be located must provide proof of eligibility. Proof of eligibility shall be provided in at least one of the following ways:

(a) The owner provides the Department with a U.S. Internal Revenue Service or Oregon Department of Revenue tax transcript for each tax filer residing at the dwelling where the heat pump shall be installed. A tax transcript must be for the most recent tax filing year immediately preceding the current year, or the transcript for the year prior if the tax return for the most recent tax filing year has not yet been filed. A transcript must also demonstrate the household adjusted gross income is less than or equal to 100 percent of state median income adjusted for the applicable household size.

(b) The owner provides the Department an eligibility notice for the household residing at the dwelling where the heat pump shall be installed that a member of the household has received in the past seven months for one of the following Oregon Department of Human Services, Oregon Health Authority, or Oregon Housing and Community Services programs **or for one of the following programs administered by a federally recognized Indian tribe or Tribally Designated Housing Authority:**

- (A) Supplemental Nutrition Assistance Program (SNAP).
- (B) Oregon Health Plan (OHP) (Medicaid).
- (C) Children's Health Insurance Program (CHIP).
- (D) Temporary Assistance for Needy Families (TANF)
- (E) Low Income Home Energy Assistance Program (LIHEAP)
- (F) Oregon Energy Assistance Program (OEAP)
- (G) Low Income Weatherization Assistance Program

(c) The owner provides proof they are currently qualified under one or more of the following programs administered by Oregon Housing and Community Services at the rental housing where the heat pump shall be installed:

- (A) A housing capital funding offering issued through a Notice of Funding Availability;
- (B) Low Income Housing Tax Credits;
- (C) Oregon Multifamily Energy Program;
- (D) Conduit/Pass-Through Revenue Bond Financing Program;
- (E) Local Innovation and Fast Track Housing Program;
- (F) Loan Guarantee Program and General Guarantee Program; or
- (G) Oregon Rural Rehabilitation Loan Program.

(d) The owner provides the Department proof they are participating in the Housing Choice Voucher Program (Section 8) at the dwelling the heat pump shall be installed.

(e) The owner provides the Department proof that either:

(A) They provide activities and services funded by the United States Department of Housing and Urban Development Indian Housing Block Grant at the rental housing where the heat pump shall be installed; or,

(B) The rental housing where the heat pump shall be installed was constructed using funds from the United States Department of Housing and Urban Development Indian Housing Block Grant.

(f) The owner provides the Department a certification, issued in the past 12 months, that a tribal member residing at the dwelling where the heat pump shall be installed is qualified as low- or moderate-income, as attested to by a federally recognized Indian tribe.

(2) The Department will provide low- or moderate-income eligibility certification forms to contractors. For each installation where the customer claims eligibility for the rebate rate for low- or moderate-income tenants, all legal owners of the dwelling or their representative must sign the form certifying that the information is accurate. The contractor must submit a scanned copy of the form and accompanying documentation to the Department as part of the reservation application.

330-280-0140

Funding Transferred from the Community Heat Pump Deployment Program

(1) Funds transferred from the Community Heat Pump Deployment Program to the Oregon Rental Home Heat Pump Program under Senate Bill 1525 shall be used in the provision of grants and rebates under the Oregon Administrative Rules Chapter 330 Division 280 and associated administrative costs and expenses. A rebate for the purchase and installation of a heat pump and grant for upgrades to facilitate the installation of the heat pump, financed by these transferred funds shall be provided to an eligible dwelling that is occupied by a member of a federally recognized Indian tribe in Oregon for which no eligible entity has been awarded a grant under ORS 469B.460.

(2) Each tribe must have the same amount of funding allocated for that tribe under the Oregon Rental Home Heat Pump Program as was allocated for that tribe under the Community Heat Pump Deployment Program.

(3) In order to qualify for a rebate funded by moneys allocated for eligible dwellings occupied by a member of a specific federally recognized Indian tribe in Oregon, the owner of the dwelling where the installation will be located must provide proof of the tenant's tribal membership to the Department. Proof of tribal membership shall be provided in at least one of the following ways:

(a) A Tribal Enrollment Card;

(b) A letter from a tribal enrollment officer;

(c) A Bureau of Indian Affairs (BIA) Certificate of Degree of Indian or Alaska Native Blood (CDIB); or

(d) Verified documentation of eligibility for the Indian Health Service as an American Indian or Alaska Native.

Administrative Rule Process

The Oregon Department of Energy is seeking feedback from the public on these potential temporary administrative rule amendments and topics. You can provide comments about the proposals and other rulemaking items by emailing community.heatpump@energy.oregon.gov. Please ensure written comments are submitted by 5 p.m. on Friday July 26, 2024. ODOE will review and consider comments, then produce and file temporary administrative rules with the Secretary of State.