



WaterSense® Home Certification System

Version 1.3

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WaterSense® Home Certification System

1.0 Introduction

WaterSense, a partnership program sponsored by the U.S. Environmental Protection Agency (EPA), seeks to protect the future of our nation's water supply by offering people a simple way to use less water with water-efficient products, homes, and services. The EPA established its WaterSense Labeled Homes Program to promote residential water efficiency and help enable market transformation in home construction.

This *WaterSense Home Certification System* (home certification system) outlines the requirements, roles, and responsibilities for all parties involved in the construction, verification, certification, and labeling of homes for WaterSense, including:

- Home builders
- Home Certification Organizations (HCOs)
- Verifiers
- Other parties to which the HCO has designated specific responsibilities for certifying homes (designees)

HCOs are central to the certification process and are responsible for implementing a program for the verification, certification, and labeling of homes that meet the requirements in the *WaterSense Specification for Homes*.

This home certification system describes the requirements for and process by which the EPA evaluates HCOs to ensure they have the capability, competence, and proper controls to certify homes and authorize the use of the WaterSense label. Homes are required to be certified by an HCO to earn the WaterSense label. Home builders who partner with WaterSense can seek certification and earn the WaterSense label through an HCO of their choosing.

This document shall be read in conjunction with the *WaterSense Specification for Homes*. The *WaterSense Specification for Homes* and the *WaterSense Home Certification System* address different aspects of the program structure, which together are essential for the certification and labeling of homes for WaterSense.

In addition, WaterSense is including by reference that parties must comply with the *WaterSense Program Guidelines*, *WaterSense Program Mark Guidelines*, and any related technical clarifications issued by WaterSense related to the program requirements or the EPA's implementation of the WaterSense Labeled Homes Program.

All of these program documents, summarized in Table 1, provide the minimum requirements and the roles and responsibilities for building, certifying, and labeling homes under the WaterSense Labeled Homes Program. Please see the introduction to each document for a thorough explanation of its purpose and role within the program.

Table 1. Documents Applicable to the Verification, Certification, and Labeling of Homes

Full Title of Document	Purpose
<i>WaterSense Specification for Homes</i>	Establishes the criteria for water-efficient homes to be eligible for the WaterSense label.
<i>WaterSense Home Certification System</i>	Articulates the parties involved in, and process for, certifying and labeling homes for WaterSense.
<i>WaterSense Program Guidelines</i>	Provides guidance on eligibility criteria, conditions for participation, and general information about WaterSense.
<i>WaterSense Program Mark Guidelines</i>	Establishes guidelines for using WaterSense program marks in order to ensure promotion of a consistent WaterSense brand. HCOs and partners are required to adhere to these guidelines.

2.0 Effective Date

This update to the WaterSense Labeled Homes Program is available to prospective HCOs and (upon approval) their verifiers and stakeholders as of May 14, 2020. Upon approval, HCOs can immediately begin certifying and labeling homes according to the *WaterSense Specification for Homes*.

3.0 References and Definitions

In addition to the documents listed in Table 1, the following referenced documents are indispensable for the application of this home certification system. Definitions within all of these documents are included by reference. For any of the referenced documents below, the most recent version applies, if the version is not otherwise indicated.

- **HCO licensing agreement** between the EPA and the HCO.
- **Application** for HCO approval.
- **Builder partnership agreement** between the EPA and a builder of WaterSense labeled homes.
- **Technical clarifications**, developed and maintained by the EPA.

Other definitions applicable to this home certification system include:

Builder Partner: A home builder that has committed to building, renovating, or otherwise producing homes in accordance with the *WaterSense Specification for Homes*. The builder shall signify such commitment by signing a WaterSense builder partnership agreement with the EPA.

Builder Partnership Agreement: Formal agreement between the EPA and the builder that delineates program benefits, exclusions, and activities (i.e., partner pledges and the EPA commitments) to be conducted by each party.

Designee(s): Party(ies) to which the HCO has delegated specific responsibilities associated with verifying, certifying, and/or overseeing the verification and/or certification of WaterSense labeled homes, as allowable under this certification system.

Home Certification Organization (HCO): An independent organization approved and licensed by the EPA to certify and label homes. An HCO is responsible for the training and authorization of verifiers and overseeing the verification, certification, and labeling of homes in accordance with the *WaterSense Specification for Homes*.

Licensing Agreement: The legal document between the EPA and an HCO that grants the HCO access to, and conditions for authorizing the use and distribution of, the WaterSense label. Outlines the terms, roles, and responsibilities for certifying and labeling homes for WaterSense in accordance with the *WaterSense Specification for Homes*. The licensing agreement signals the HCO's and the EPA's commitment to cooperate in the administration of the WaterSense Labeled Homes Program in accordance with the *WaterSense Specification for Homes* and the *WaterSense Home Certification System*.

WaterSense Home Verifier (Verifier): Individual who is trained and authorized by an HCO or its designee to verify homes in accordance with the *WaterSense Specification for Homes*.¹

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 a home's compliance with the *WaterSense Specification for Homes*, an HCO or its designee will provide the WaterSense label to the builder partner in the form of a certificate or sticker. References to the certificate or sticker are considered synonymous with the WaterSense label and, as such, the terms may be used interchangeably throughout this document.

4.0 HCO Eligibility

In accordance with the requirements and procedures set forth in this section, the EPA shall evaluate and approve the HCO. This evaluation shall include:

- HCO Organizational Requirements (Section 4.1): The EPA shall evaluate the HCO's organizational structure and processes and procedures in place to conduct the verification, certification, and labeling of homes for WaterSense. An HCO may use a designee (Section 4.2) to meet many of the organizational requirements.
- Any alternative procedures or tools that the HCO proposes to use to verify that homes meet the requirements of the *WaterSense Specification for Homes* (Section 4.3).

Interested HCOs shall apply to the EPA in accordance with the process described in Section 5.0.

¹ A verifier may be an employee of a designee, an employee associated with an independent organization that contracts for verification services, an individual that contracts for verification services, or, under certain circumstances, a direct employee of the HCO.

4.1 HCO Organizational Requirements

WaterSense has identified six components of certification, described in the subsections below, that ensure an HCO has a structure in place to effectively certify homes and issue and maintain the integrity of the WaterSense label. These include:

- Independent oversight
- Quality assurance
- Verifier training and authorization
- Home verification protocols
- Impartiality
- Messaging and reporting

The HCO shall demonstrate to the EPA, through documentation supplied in its application (see Section 5.1), that it meets the requirements outlined in this section.

The HCO may delegate certain organizational requirements outlined below to a designee(s). A designee can be a provider that hires or contracts with inspectors, or other organization capable of adhering to the certification requirements, as relevant to the specific responsibility being designated. The use of designees is more fully described in Section 4.2.

4.1.1 Independent Oversight

The HCO shall maintain independent oversight procedures to ensure that the certification and labeling of homes for WaterSense is governed in a fair and impartial manner. This shall include:

- **Maintaining independent oversight.** The HCO shall maintain independent oversight of its program related to WaterSense, while exercising independent professional judgment. The HCO shall demonstrate that the individuals responsible for oversight of the program are not involved in the routine program operations or certification decisions.

4.1.2 Quality Assurance

The HCO shall implement quality assurance procedures that ensure that verifiers consistently inspect and document compliance in accordance with the *WaterSense Specification for Homes*. The quality assurance shall include:

- **Auditing WaterSense labeled homes.** The HCO shall audit a subset of homes that have received the WaterSense label to ensure homes are meeting the requirements of the *WaterSense Specification for Homes*. The audit shall include a representative sample of WaterSense labeled homes such that it demonstrates the capacity to identify erroneous certifications.
- **Ensuring qualified verifiers.** The HCO shall only use verifiers in good standing with all training and impartiality requirements, as described in Section 4.1.3 and 4.1.5, respectively, to provide verification services.
- **Disciplining verifiers.** The HCO shall maintain and enforce disciplinary procedures for verifiers that do not meet the quality requirements of the HCO.

- **Resolving complaints.** The HCO shall maintain and execute procedures to respond to and resolve complaints involving home verification and/or certification. This includes investigating failures impacting the water efficiency of certified homes.
- **Maintaining quality assurance documentation.** The HCO shall maintain thorough documentation of quality assurance activities including audit results, verifier training/authorization records, verifier discipline records, and complaint resolutions.

4.1.3 Verifier Training and Authorization

The HCO shall train and authorize verifiers to verify homes in accordance with the *WaterSense Specification for Homes*, as well as any administrative procedures used by the HCO for oversight of the certification process, reporting, or other communications. At a minimum, this shall include:

- **Training verifiers on home verification and documentation procedures.** The HCO shall train verifiers to properly document home verifications and complete all reporting and quality assurance submissions required by the HCO and WaterSense. WaterSense shall supply each HCO with required training materials for the *WaterSense Specification for Homes* (hereafter referred to as WaterSense program-specific training requirements). If applicable, the HCO shall supplement this training with additional information needed for the verifiers to understand and administer the HCO's application of the specification.
- **Providing verifier training reciprocity.** The HCO may waive any WaterSense program-specific training requirements for potential new verifiers, provided that the verifier has completed the WaterSense program-specific training requirements within the past two years (for example, as part of training under another HCO). The WaterSense program-specific training requirements are the only training requirements subject to this transferability. There is no obligation or expectation that any supplemental training provided by individual HCOs will be transferable. Additionally, HCOs that utilize designees for quality assurance shall have procedures in place to facilitate transferability of verifiers from one designee to another.
- **Formally authorizing verifiers.** The HCO shall formally authorize verifiers to verify homes in accordance with the *WaterSense Specification for Homes*. The requirements for verifier authorization shall include, at a minimum: documentation of successful completion of training; and evaluation, disclosure, and resolution of conflicts of interest (COI), as outlined in Section 4.1.5. The HCO shall maintain a list of authorized verifiers and periodically report authorized verifiers to the EPA, as described in Section 4.1.6.
- **Integrating updates.** In the event of modifications or clarifications to the *WaterSense Specification for Homes*, the HCO shall retrain verifiers on the new program requirements before the verifier inspects additional homes. The HCO shall maintain up-to-date training records.

4.1.4 Home Verification Protocols

The HCO shall implement home verification protocols, which shall include, at a minimum:

- **Requiring verifiers to adhere to the *WaterSense Specification for Homes*.** The HCO shall ensure verifiers conduct verifications in accordance with the *WaterSense Specification for Homes*.
- **Verifying builder partnership agreement with the EPA.** The HCO shall verify that any builder seeking home certification in accordance with the *WaterSense Specification for Homes* has a signed WaterSense builder partnership agreement in place prior to issuing the WaterSense label and associated certification documentation.
- **Maintaining verification documentation.** The HCO shall obtain home verification documentation (e.g., checklists, scorecards) from verifiers. At a minimum, the documentation shall include:
 - o Builder partner contact information;
 - o Address or lot number of the verified home (and address or lot number of any homes covered by a relevant sampling protocol);
 - o Documentation of verification results sufficient to recreate the verification per the requirements of the *WaterSense Specification for Homes*;
 - o Pertinent information related to any alternative procedures used for verification (see Section 4.3);
 - o Name and contact information for the verifier; and
 - o Home verification date(s).
- **Sampling protocol.** The HCO may offer builder partners the opportunity to participate in a sampling protocol if a builder partner intends to certify multiple homes within the same subdivision, planned community, or multifamily building. Sampling protocols could allow a builder to seek the WaterSense label for a group of homes based on pre-analysis of building plans and subsequent verification of a sample set of the homes. If the HCO chooses to offer a sampling protocol for home certification, the protocol shall outline eligibility requirements for a builder partner to participate in the sampling protocol and ensure that verification occurs on a representative sample of homes constructed by the builder partner. The protocol shall also establish processes for revoking eligibility for sampling based on failure to meet certification and quality assurance requirements.²

4.1.5 Impartiality

The HCO shall have a systematic method for ensuring financial, legal, and ethical impartiality as it pertains to verifying a home's compliance with the *WaterSense Specification for Homes* and issuing the WaterSense label. The HCO's impartiality management strategy shall account for both organizational and individual COI. Organizational COI pertains to the organization(s) responsible for various aspects of home verification and certification; whereas individual COI pertains to a specific person involved in the verification or certification decision. Examples of COI include, but are not limited to, an organization or individual:

² In Version 1.2 of the *WaterSense New Home Certification System*, the EPA defined the sampling protocol to include the successful inspection of the first seven homes within a subdivision, planned community, or multifamily building, after which the verifier could randomly select and verify one home from every additional group of seven homes. To provide additional flexibility under this version of the certification system, the HCO may choose to implement sampling at a lower rate, provided it demonstrates to the EPA that it has other quality assurance activities in place to ensure continued compliance with the requirements of the *WaterSense Specification for Homes*.

- Providing consulting or design services for a home.
- Acting as the seller of the home or the seller's agent.
- Acting as the lender for some portion of the financed payments on the home.
- Selling, supplying, or installing products to facilitate the home meeting the specification criteria.
- Participating in both verification and sales or marketing activities of the HCO.

4.1.5.1 HCO Impartiality

The HCO is responsible for implementing its COI strategy for the organization and any individuals under its direct employ.

4.1.5.2 Verifier Impartiality

An HCO that uses verifiers outside of its direct employ shall implement a verifier COI strategy that includes the following:

- **Verifier COI disclosure.** The HCO shall require current or prospective verifiers to disclose any potential or existing COI.
- **Written verifier COI policy.** The HCO shall have written procedures for evaluating and resolving potential COI disclosed by the external verifiers. The HCO must also outline procedures to be enacted in the event that COI cannot be satisfactorily resolved.

If the HCO assigns a designee(s) to implement the verifier COI policy, it shall have procedures in place to ensure the designee's compliance with the verifier COI strategy.

4.1.5.3 Designee Impartiality

An HCO that uses a designee(s) as allowed by this certification system shall implement a designee COI strategy that includes the following:

- **Designee COI disclosure.** The HCO shall require current or prospective designees to disclose any potential or existing COI.
- **Written designee COI policy.** The HCO shall have written procedures for evaluating and resolving COI presented by a designee. The HCO must also outline procedures to be enacted in the event that COI issues cannot be satisfactorily resolved.

4.1.6 Messaging and Reporting

The HCO shall ensure information flow from WaterSense to the HCO (messaging) and information flow from the HCO to WaterSense (reporting). The HCO shall also ensure that relevant information is conveyed in a timely manner among WaterSense and the HCO's designee(s), builders, and verifiers. At a minimum, the HCO's messaging and reporting procedures shall include:

- **Centralized messaging structure.** The HCO shall have a structure that enables it to disseminate information from WaterSense to relevant stakeholders. Stakeholders can include designees, verifiers, and/or builders. Messaging shall be complete, clear, and timely.
- **Inquiry response system.** The HCO shall have procedures for stakeholders to submit questions about home certifications and the WaterSense label. The HCO shall have a means of providing accurate and timely responses to these inquiries.
- **Quarterly reporting to WaterSense.** The HCO shall report home certification information to WaterSense at least quarterly in a format approved by the EPA. At minimum, the HCO shall provide the following information regarding the homes certified and WaterSense labels issued in accordance with the *WaterSense Specification for Homes*:
 - o Builder partner name;
 - o Number of certified homes; and
 - o General location of certified home(s), including development (if applicable), city, state, and zip code.
- **Non-routine requests for reporting program information to WaterSense.** The HCO shall provide additional program information to WaterSense in a timely manner, as requested. On occasion, WaterSense may request information about topics including, but not limited to:
 - o Checklists for specific homes;
 - o Promotional materials created by the HCO and/or its designee(s); and
 - o Common non-conformities or issues encountered during the past quarter
- **Maintaining information about authorized verifiers and reporting to WaterSense.** The HCO shall maintain basic information about authorized verifiers. In addition, the HCO shall report information about its authorized verifiers to WaterSense at least quarterly. WaterSense shall provide the HCO with a standardized format for reporting, which shall include, at a minimum, the following information for each authorized verifier:
 - o Name;
 - o Employer (or company name if self-employed);
 - o Phone number;
 - o Email address (if available);
 - o Website URL (if available);
 - o Address and/or service area (e.g., state(s), zip codes, and/or markets where verification services are offered); and
 - o Confirmation that the information about the verifier can be made publicly available.

4.2 HCO Responsibilities for the Use of Designees

The HCO may delegate certain responsibilities to one or more designees, with the exception of the responsibilities described below. In the instance of delegation, the HCO shall provide WaterSense with information about the use of designee(s) and shall submit sufficient information on policies that it requires designee(s) to follow. If the HCO plans to use a designee(s), the HCO shall also submit its procedures for overseeing the designee(s) and the fulfillment of their responsibilities. Procedures shall also include the process by which an HCO will remove a designee if it fails to meet the HCO's requirements.

The EPA has identified specific requirements the HCO may not delegate. Specifically, the HCO itself must:

- Maintain the final authority over the certification decision and issuance of the WaterSense label as outlined in Section 5.3;
- Establish and implement impartiality requirements as outlined in Section 4.1.5; and
- Report information on authorized verifiers and certified homes to WaterSense as outlined in Section 4.1.6.

HCOs using a designee(s) shall implement procedures that include, at a minimum, the following, as applicable to the responsibilities of the designee(s):

- **Overseeing designee(s) performing quality assurance activities.** If an HCO assigns a designee(s) to fulfill some or all of its quality assurance services, the HCO shall monitor and oversee the designee(s) to ensure that it follows the quality assurance procedures and requirements established by the HCO.
- **Overseeing designee(s) performing verifier training.** If an HCO assigns a designee(s) to train and authorize verifiers, the HCO shall develop or approve the designee training program and monitor and oversee the designee(s) to ensure that they are fulfilling the training requirements. The HCO shall retain and maintain a list of trained and authorized verifiers from the designee(s).
- **Collecting information from designee(s) and verifiers.** The HCO shall collect data from its designee(s) needed to satisfy WaterSense reporting requirements.

4.3 HCO-Specific Procedures Used in Lieu of EPA-Provided Materials

The EPA maintains technical resources (e.g., inspection checklist, irrigation audit checklist, WaterSense Water Budget Tool) to assist HCOs and their approved verifiers in verifying and certifying homes in accordance with the *WaterSense Specification for Homes*. However, HCOs may possess alternative procedures and tools to verify that homes meet specific requirements of the *WaterSense Specification for Homes*. For example, an HCO may provide its verifiers with software that can verify compliance with the Water Budget Tool or checklist requirements in the *WaterSense Specification for Homes*, instead of requiring them to use tools or checklists provided by the EPA. To maximize efficiency and limit interference in the established business processes of the certification and building industries, the EPA will, at its discretion, allow HCO-specific procedures and tools to be used in lieu of the EPA's provided materials. In such instances, the HCO shall demonstrate that, using its own procedures and tools in place of EPA-provided materials, it can ensure the WaterSense label is only issued to homes that meet or exceed the efficiency and performance criteria of the *WaterSense Specification for Homes*.

5.0 Procedures and Requirements for HCOs

The EPA shall evaluate an HCO's organizational structure prior to licensing the HCO to certify and label homes in accordance with the *WaterSense Specification for Homes*. This section outlines the HCO's application and licensing procedures and summarizes the HCO's roles and responsibilities under this certification system.

5.1 Application Procedures for HCOs

An HCO interested in certifying and labeling homes for WaterSense shall submit an application to the EPA, including all necessary documentation to demonstrate compliance with the requirements in Section 4.0. The EPA shall supply, and the HCO shall complete, the application form. A copy of the application form, *Application for Home Certification Organization (HCO) Approval*, is available on the WaterSense [website](#).

In addition, the HCO shall provide with its application:

- **Documentation of Organizational Requirements:** The HCO shall document compliance with the organizational requirements listed in Sections 4.1 and 4.2. This shall include information on the use and oversight of any designee(s).
- **Point of Contact:** The HCO shall designate a point of contact in its application and shall provide that individual's contact information. This point of contact shall be responsible for communicating and disseminating information to and from the EPA as appropriate and will be listed on the WaterSense website as the point of contact regarding the HCO's certification offerings for WaterSense.

The application form is available on the WaterSense [website](#). Completed applications and all supporting documentation shall be emailed to the WaterSense Helpline at watersense@epa.gov.

5.1.1 Provisional Approval

The EPA retains the right to provisionally approve an HCO for select requirements where an HCO requires modification to fully adhere to the EPA's organizational requirements (as set forth in Sections 4.1 and 4.2 [if applicable]). Requirements that may be considered for provisional approval are detailed in the *Application for Home Certification Organization (HCO) Approval*. For any requirement for which an HCO is provisionally approved, the EPA will work with the HCO to develop a plan that outlines the conditions and timeline for full compliance with the requirements. These terms will be detailed in the HCO's licensing agreement with the EPA.

5.2 HCO Licensure

Upon receipt and evaluation of the application and supporting documentation, if the HCO meets all criteria satisfactorily, the EPA shall notify the HCO that it is eligible to sign a licensing agreement. The HCO shall return signed copies of a licensing agreement supplied by the EPA. This is a legal document between the EPA and the HCO that grants the HCO access to, and conditions for authorizing the use and distribution of, the WaterSense label for homes. It also outlines the terms and roles and responsibilities for certifying and labeling homes in accordance with the *WaterSense Specification for Homes*. The licensing agreement signals the HCO's and the EPA's commitment to cooperate in the administration of the WaterSense Labeled Homes Program in accordance with the *WaterSense Specification for Homes* and the *WaterSense Home Certification System*.

The EPA shall return signed and fully executed copies of the licensing agreement to the HCO along with an electronic version of the WaterSense label, WaterSense label certificate, and any

WaterSense-specific training or other program materials. The signed agreement signifies that the HCO is authorized to train verifiers, certify homes, and issue the WaterSense label.

The EPA shall maintain a listing of licensed HCOs on the WaterSense website.

The EPA reserves the right to terminate the licensing agreement for any HCO that does not actively fulfill the requirements outlined in this certification system.

5.3 Issuing the WaterSense Label

Prior to issuing the WaterSense label, the HCO shall ensure, either directly or through procedures established with its designee(s), that a builder partnership agreement is in place (and signed by both the builder and the EPA, as described in Section 6.1). To verify the partnership, the HCO or its designee(s) should check the WaterSense [website](#) for a current list of builder partners. If the builder is not listed as a partner on the WaterSense website, the HCO or its designee(s) can verify the partnership agreement by contacting the WaterSense Helpline at (866) WTR-SENS (987-7367) or watersense@epa.gov.

The HCO shall maintain the final authority over the certification decision and issuance of the WaterSense label. It shall confirm that a builder partner's home(s) conform with and have been verified in accordance with the *WaterSense Specification for Homes*. The HCO shall document its certification decision, and the HCO or its designee shall complete and provide to the builder partner the WaterSense label certificate for each certified home, which includes:

- A certification statement that the home has been certified to meet the *WaterSense Specification for Homes*;
- The name of the builder partner;
- The name/company of the authorized verifier;
- The name of the HCO;
- The address or lot number of the certified home; and
- The date of certification.

At the time the WaterSense label is issued, the HCO shall also supply the builder partner with guidelines on proper use of the WaterSense program marks.

5.3.1 Exemptions for Conflicts With Local Code

The EPA does not intend for the *WaterSense Specification for Homes* to exempt homes from adhering to local codes, standards, or regulations. All homes shall obtain building permits, as applicable, and therefore will need to meet local and state code requirements, regardless of whether the builder is pursuing the WaterSense label for the home.

However, there is potential for local standards and codes to conflict with the EPA's requirements included in the *WaterSense Specification for Homes*. In these cases, the HCO shall consult with the EPA by contacting the WaterSense Helpline at watersense@epa.gov. The EPA will consider and respond to such conflicts on a case-by-case basis and provide exceptions where appropriate.

5.4 Reporting and Recordkeeping

HCOs shall maintain records associated with program operations and routinely submit documentation about verifiers and homes that have received the WaterSense label directly to the WaterSense Helpline at watersense@epa.gov.

5.4.1 Reporting Authorized Verifiers to the EPA

The HCO shall maintain a list of authorized verifiers who have met all training, impartiality, and other requirements as outlined in the HCO's approved organizational requirements. At least quarterly, the HCO shall submit a complete list of authorized verifiers to the WaterSense Helpline at watersense@epa.gov. See Section 4.1.6 for details on information that should be included in the HCO's report.

At its discretion, the EPA may post the list of authorized verifiers (and/or associated employer) to the WaterSense website, so that builder partners can find specific verifiers in their area who can provide verification services for WaterSense. The EPA may also use the contact information provided to contact authorized verifiers or to provide informative updates about the WaterSense program. HCOs can notify the WaterSense Helpline at watersense@epa.gov regarding verifiers who choose to opt out of communication.

5.4.2 Reporting WaterSense Labeled Homes to the EPA

The HCO shall report at least quarterly to the WaterSense Helpline regarding the homes that they have certified within the previous quarter. See Section 4.1.6 for details on information that should be included in the HCO's report.

5.4.3 Maintaining Records

The HCO shall maintain records related to its implementation of the certification and labeling of homes for WaterSense and shall be able to provide the EPA with access to or copies of the records upon request. In instances where a specific certification responsibility is delegated, as allowed under this certification system, the HCO shall ensure that the designee(s) maintains the relevant records and that it has access to the records upon request. The HCO and/or designee(s) shall maintain all relevant records for a minimum of three (3) years. At a minimum, these records shall include:

- Documentation of quality assurance activities;
- Verifier training and authorizations;
- Verification records;
- COI disclosures and resolutions; and
- Documentation to support certification decisions.

6.0 Procedures and Requirements for Builder Partners

This section outlines the requirements and procedures for WaterSense builder partners. Builders that partner with the EPA can earn WaterSense certification through an HCO of their

choosing. To earn the WaterSense label, candidate homes will be verified and certified in accordance with the *WaterSense Specification for Homes*.

6.1 Partnership With the EPA

Builders shall sign a builder partnership agreement with the EPA as described in the *WaterSense Program Guidelines* if they wish to obtain the WaterSense label for their homes. Receipt of the WaterSense label is contingent upon partnership and home certification. The HCO or its designee shall verify that the builder has a partnership agreement in place with the EPA as part of the certification process and prior to issuing the WaterSense label.

The EPA shall maintain a list of builder partners that have built or plan to build WaterSense labeled homes.

As part of the builder partnership agreement with the EPA, the builder shall provide the EPA with:

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

The EPA shall post this information on its builder partner list on the WaterSense website. The registry may also include the general location (city, state) and number of WaterSense labeled homes for each builder partner, as reported by the respective HCO.

6.2 Application

The builder partner shall apply for certification for each individual home. To initiate the verification and certification process, the builder partner shall identify the HCO through which it would like to obtain certification and contact the HCO or one of its authorized verifiers directly. The EPA shall maintain a list of HCOs and associated authorized verifiers on the WaterSense website, including the localities where the authorized verifiers offer verification services for the HCO's program.

6.3 Home Certification and Labeling

The builder partner shall work with the HCO or its designee(s) and authorized verifiers to determine a home's compliance with the *WaterSense Specification for Homes*. This includes compliance with all quality assurance and oversight requirements specified by the HCO. Upon verification, the HCO shall provide documentation of certification, and the HCO or its designee will present the builder partner with a copy of the WaterSense label.

The WaterSense label indicates that the home has been certified to conform to the *WaterSense Specification for Homes*. A WaterSense label shall not create any express or implied warranty. At the time the WaterSense label is issued, the HCO or designee shall also supply the builder partner with guidance on proper use of the WaterSense label. The builder partner is then allowed to advertise that the home conforms to the specification and has earned the label. Any promotion of the WaterSense label shall be directly related to the certified home or to a

community of homes that earn the WaterSense label individually. The EPA will also provide builder partners with promotional resources that will help them to advertise and market their intent to build homes to meet the WaterSense specification.

7.0 EPA Oversight

The EPA is responsible for overseeing the HCO's implementation of the certification and labeling of homes for WaterSense.

7.1 General HCO Oversight

The EPA reserves the right to audit the operations and records of an HCO and/or its designee(s) to ensure that the HCO is meeting the responsibilities under this certification system. The EPA shall request, and the HCO shall provide the EPA with, documentation to facilitate the operations and records audit.

As part of its oversight responsibilities, the EPA shall investigate and respond to complaints pertaining to HCOs. Complaints may be submitted directly to the WaterSense Helpline at watersense@epa.gov.

If the EPA discovers that the HCO is failing to meet its responsibilities under this certification system, it will notify the HCO and will coordinate corrective action or, if necessary, suspend or revoke the HCO's participation in the program. In the event that an HCO fails to satisfy its responsibilities, the EPA can terminate the HCO's licensing agreement. These measures can be temporary or permanent at the EPA's discretion, depending on the severity of the issue.

7.2 Surveillance of Home Conformance and Label Use

The EPA also reserves the right to conduct periodic in-home inspections of labeled homes prior to their sale or initial occupancy and to periodically review websites and other certification references and WaterSense label usages. In the case of an in-home inspection, the EPA will coordinate the visit with the builder partner and the home's verifier and/or HCO, so as not to delay the certification process. If nonconformities with the specification are identified, the EPA will notify the HCO and/or the builder partner and will engage in corrective or other necessary action in accordance with Section 8.0 of this document.

8.0 Suspension or Withdrawal of the WaterSense Label From Homes

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

- Receipt of formal complaints from home buyers or other interested parties indicating that a certified home's water-efficient features were generally misrepresented (e.g., multiple features do not comply with the specification).
- Instances where the HCO or its designee discovers that a builder is fraudulently or falsely claiming that its homes have been certified and labeled in accordance with the *WaterSense Specification for Homes* and this certification system.

The EPA is responsible for engaging the builder partner in corrective action and for determining when the use of the WaterSense label should be suspended or withdrawn due to nonconformance or improper use of or reference to the WaterSense label. The EPA might also discover nonconformance or improper use or reference to the WaterSense label from its stakeholders or during periodic reviews of certification and label usage. If the EPA discovers nonconformance or certification and labeling issues, it will notify the HCO 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 the EPA. During the period of suspension, the builder partner is prohibited from using the WaterSense label in conjunction with the home in question and with any home built after the issuance of a suspension, until such time as the EPA indicates the suspension can be removed. The HCO shall assist the EPA as necessary by revoking 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 the EPA's approval, reissuing the WaterSense label to the builder partner for the home in question.

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, the EPA will rescind the WaterSense label from all of the builder partner's certified homes that have not yet been sold. The EPA will notify the builder partner that the certification and WaterSense label are being withdrawn.

If a builder's use of the WaterSense label is withdrawn for any reason, the EPA will require that the builder partner cease to advertise the certification of its homes to the WaterSense specification, and the label shall be eliminated immediately from homes not already sold. The EPA will inform the HCO that the builder partner is no longer allowed to use or receive the WaterSense label and will decide whether termination of the builder partnership agreement or other corrective action is warranted. The HCO will assist the EPA as necessary by rescinding the WaterSense label from all certified homes that have not yet been sold and will not issue any new WaterSense labels to the builder partner.

9.0 Amendments, Modifications, and Revisions

In the course of program operations, the HCO and/or the EPA may decide to change certain elements of program structure and function. The following sections describe procedures to be followed in the event of amendments, modifications, and/or revisions initiated either by the HCO or the EPA.

9.1 HCO-Initiated Changes

The HCO shall notify the EPA in writing about any proposed organizational or other changes that materially affect its ability to comply with the requirements outlined in this certification system and ensure that homes meet the requirements of the *WaterSense Specification for Homes*. Notification shall be made at least 60 days prior to the implementation of such changes and with sufficient time to allow for the EPA to evaluate the changes and determine if the HCO will continue to meet the requirements of the certification system and the *WaterSense*

Specification for Homes. The HCO shall notify the EPA of these changes via email by contacting the WaterSense Helpline at watersense@epa.gov.

The EPA shall notify the HCO if modifications are needed to the proposed requirements or the licensing agreement between the EPA and the HCO as a result of the changes.

9.2 EPA-Initiated Program Changes

The EPA reserves the right to amend these rules of procedure, which may include issuing technical clarifications or amending or revising this certification system or the *WaterSense Specification for Homes*. The EPA may revise these documents independently, depending on the nature of the changes.

Revisions to the specification or this certification system can occur due to technological and/or market changes that affect the usefulness of the requirements to HCOs, builders, consumers, industry, or the environment, or to clarify requirements. The EPA will only make major revisions following an open, public process. This will include discussion with builders, HCOs, and other interested stakeholders regarding the changes and any transition period. Minor revisions will generally be more editorial in nature and serve to clarify requirements. The EPA will notify stakeholders when revisions are considered major or minor. To facilitate version control, the EPA will designate a title, version number, and date for all of the relevant documents it produces, as indicated below:

- *WaterSense Home Certification System*
- Version X.Y
- Month, Day, Year

10.0 For More Information

For inquiries or other questions related to this home certification system or the *WaterSense Specification for Homes*, please contact the WaterSense Helpline at (866) WTR-SENS (987-7367) or watersense@epa.gov