

**Working Draft WD-01 Amendment MINHERS Chapters 1 and 9 Addendum 29, QA Agent Training and Financial Separation**

103.1 ~~Direct Rating~~ ~~Quality Assurance Provider (Direct Provider)~~. A Rating ~~Quality Assurance~~ Provider who receives fees for the rating work completed by third-party Rating Companies and/or whose staff conducts all or any portion of the work for a rating.

103.1.1 Direct Providers must contract with one or more independent Quality Assurance Contractors who employ one or more Quality Agents certified by RESNET. Quality Assurance Contractors will oversee the Provider's compliance with Chapter 9 of these Standards and any specific Quality Assurance requirements for other Provider categories that may apply to the organization.

103.1.2 RESNET will provide a list of RESNET-approved Quality Assurance Contractors from which Direct Providers may select.

103.1.2.1 Quality Assurance Contractors must employ one or more Quality Agents certified by RESNET. The Quality Agent will oversee the Direct Provider's compliance with Chapter 9 of these Standards and any specific quality assurance requirements for other Provider categories that may apply to the organization.

103.1.2.1 ~~Other than compensation for services necessary for the fulfillment of the quality assurance requirements specified in these Standards, Quality Assurance Contractors for Direct Providers, and the Quality Agents they employ, or contract with, will~~shall have no financial interest in the Direct Provider's company, ~~the Direct Provider's employees including their Raters and Rating Company clients as well as, or any ratings completed by HERS Raters working with their Direct Provider clients.~~ Quality Assurance Contractors and their Quality Agents may receive compensation for services necessary for the fulfillment of the quality assurance requirements specified in these Standards, and other non-HERS rating related services. Financial interest is defined in Appendix B. Contractual relationship includes providing design or subcontractor services to a project, whether or not a signed contract exists.

103.1.2.3 Quality Assurance Contractors shall demonstrate to RESNET a minimum insurance coverage of \$1,000,000 in general liability coverage and \$1,000,000 in professional liability coverage.

103.1.2.1.1 The RESNET Staff (QA Manager or equivalent) will be required to approve a Direct Providers selected QA Contractor and review the following to determine actual or perceived conflict of interest. This shall at a minimum include:

103.1.2.1.1.1 Identify the owners of the QA Contracting Company and Direct Provider and require that each owner complete a Financial Interest Disclosure Form provided by RESNET.

103.1.2.1.1.2 Require a full disclosure of any existing or prior business relationships with any potential contracted entity.

103.1.2.1.1.3 Review the RESNET Registry of all QA Agents of a QA Contracting Company to determine whether there was any past work history with the Direct Provider.

~~103.1.2.2 In order to maintain the highest level of integrity for the Rating Industry, RESNET may place restrictions on Quality Assurance Contractor selection by Direct Providers, other than financial interest, if it deems necessary to avoid other actual or perceived conflicts of interest.~~

103.1.3 An organization who is a Direct Rating ~~Quality Assurance Provider~~ may also have a separate Third-Party ~~Rating Quality Assurance Providership~~. However, the organization's Third-Party ~~Rating Quality Assurance Providership~~ may ~~shall not~~ perform quality assurance of the Direct Provider's work.

103.1.3.1 An organization who is a Direct Rating Provider providing Third-Party Rating Quality Assurance services for a Rating company or another Direct Rating Provider shall not willfully cause a conflict of interest such as, but not limited to the following:

103.1.3.1.1 Shall not solicit the clients of the company on which Quality Assurance is being performed.

103.2 ~~Third-party Rating Quality Assurance Provider (Third-party Provider). A Rating Quality Assurance Provider who does not receive fees for the rating and whose staff does not conduct any portion of the rating, whose employees are not allowed to conduct any portion of the work for a HERS rating but who may receive fees for performing quality assurance work as outlined in these Standards, quality assurance oversight, certification and other Quality Assurance Provider related duties.~~

103.2.1 Third-party Providers must employ one or more Quality Agents certified by RESNET. The Quality Agent will oversee the Provider's compliance with Chapter 9 of these Standards and any specific quality assurance requirements for other Provider categories that may apply to the organization.

~~103.2.2 Other than compensation for services necessary for the fulfillment of the Rating Provider, quality assurance requirements specified in these Standards, and other non-HERS rating related services (e.g. LEED for Homes Provider fees), Third-party Providers and the Quality Agents they employ, or contract with, will shall have no financial interest in their HERS Rating Company clients, or any ratings completed by HERS Raters working with their HERS Rating Company clients. Quality Assurance Contractors and their Quality Agents may receive compensation for services necessary for the fulfillment of the quality assurance requirements specified in these Standards, and other non-HERS rating related services. Financial interest is defined in Appendix~~

B. Contractual relationship includes providing design or subcontractor services to a project, whether or not a signed contract exists.

103.2.3 An organization who is a Third-Party ~~Rating Quality Assurance~~ Provider may also have a separate Direct Rating ~~Quality Assurance~~ Providership. However, quality assurance of the Direct Provider's work shall not be performed by the organization's Third-party ~~Rating Quality Assurance~~ Providership.

103.2.4 A Third-party ~~Rating Quality Assurance~~ Provider may also be a Quality Assurance Contractor.

103.4.1 Third-Party ~~Rating Quality Assurance~~ Providers shall demonstrate to RESNET a minimum insurance coverage of \$1,000,000 in general liability coverage and \$1,000,000 in professional liability coverage

103.2.5 Two organizations that are both a Third-Party ~~Rating Quality Assurance~~ Provider and Direct Rating ~~Quality Assurance~~ Provider shall not exchange quality assurance services specified in these Standards.

**905.2 Quality Agent.**~~The designated officer, employee, or contractor responsible for quality assurance shall meet the following minimum requirements:~~ An individual employed by a Quality Assurance Contractor or Third Party Rating ~~Quality Assurance~~ Provider who is certified as an agent of RESNET to perform quality assurance work as outlined in these Standards.

**905.2.1** RESNET shall certify all Quality Agents and maintain a national registry of certified Quality Agents.

**905.2.2** Certification requirements to be a RESNET certified Quality Agent.

**905.2.2.1** Meet the following experience requirements:

**905.2.2.1.1** Previous certification as a RESNET HERS Rater; and

**905.2.2.1.2** As a certified HERS Rater, complete confirmed ratings on a minimum of twenty-five (25) homes, five (5) of which must have received quality assurance field reviews in accordance with these Standards without significant non-compliance issues or

**905.2.2.1.3** Complete QA Field reviews on a minimum of ten (10) homes and QA File reviews on a minimum of twenty (20) homes as either a Quality Assurance Designee or delegate (as previously allowed by RESNET) or under the supervision and mentorship of another Quality Agent.

**905.2.2.2** Pass the National Quality Agent Competency Test with a minimum score determined by RESNET;

905.2.2.13 Attend and successfully complete an on-site RESNET Quality Agent Instruction and Assessment Certification event;

~~905.2.2.2 Pass the National Quality Agent Competency Test with a minimum score determined by RESNET;~~

905.2.2.34 RESNET certified Quality Agents shall not conduct ratings under any Quality Assurance Contractor, Third Party or Direct Provider, or rating company for which he/she is providing quality assurance services. If the Quality Agent conducts a rating it shall be certified under a separate Third Party or Direct Provider. Quality Assurance of that rating shall be conducted by a Quality Agent without financial interest with the Quality Agent conducting the rating ~~be active certified HERS Raters or RFI's or perform any work on ratings~~;