

Florida Green Home Designation Standard

Standards & Policies

Version 7.0
Effective July 1, 2010
Revised 10/8/10

1. GENERAL PROVISIONS

Purpose. The provisions of this document are intended to establish a voluntary, state-wide standard for Green Home Certification. This enhances the goal of achieving uniform and meaningful green building designations for residential buildings in Florida.

Scope. These standards apply to single-family residential units, three-stories or under, built within Florida.

2. OPERATING PRINCIPLES

- a. Qualification shall be achieved by attaining at least 100 Credit Points, gained through incorporating green construction techniques and products into the home so that it benefits the environment and supports a more sustainable Florida.
- b. A list of qualifying improvement features and their respective Credit Points (referred to as the "Checklist") shall be maintained by the Florida Green Building Coalition such that the Credit Point list may be modified, to include advancements in technologies, through a regular technical and public review and acceptance process that is defined by this Standard.
- c. The Checklist shall be organized into categories, such as energy, water, site, health, materials, disaster mitigation, etc. Each category has both a minimum Credit Point requirement and a maximum number of allowable Credit Points to increase diversity.
- d. Certification of NEW homes
 1. Each home must comply with the prerequisites in order to be eligible for certification.
 2. Each home must select items from the Checklist to obtain the minimum number of points listed for each category (category minimum), the sum of which is 80 points.
 3. Each home must accumulate at least an additional 20 points to obtain the required 100 points to qualify for certification.
 4. If any category minimums cannot be achieved, point deficiencies may be added to the total minimum required score of 100, creating an "adjusted minimum required points."
- e. Certification of EXISTING Homes
 1. Existing homes are exempt from the three prerequisites.
 2. Existing homes are exempt from the category minimums.
 3. Each home must accumulate a total of 100 points to achieve certification.
 4. Each existing home MUST achieve the required Remodel points in Category 8-General within the Checklist.
 5. The remaining points required for certification may be earned using any combination of credits.
 6. Category maximums cannot be exceeded at any time.
 7. The minimum HERS Index to qualify for the FGBC Green Remodel Designation is 85.

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- f. For each home that qualifies for the Green Home Designation, written certification, fully disclosing all the features that qualify the home, shall be provided to home owners and purchasers.
- g. Wherever possible, this Standard will promote the market value of improvements through economic analysis (e.g. there is economic benefit to be gained through improvements that reduce energy use beyond minimum code requirements).
- h. All documentation must be submitted within 120 days of the Certificate of Occupancy for new home construction or the home will be required to submit under the Standard version in effect at the point of submittal.

3. DEFINITIONS AND ACRONYMS

Credit Points – Qualification points assigned to features that improve the environmental, ecological and sustainability impacts of a building.

Florida Green Building Coalition – A non-profit corporation with open membership whose primary mission is to lead and promote sustainability with environmental, economic, and social benefits through regional education and certification programs.

Green Home – A high-performing home that is energy and water efficient, has good indoor air quality, utilizes environmentally sustainable materials, and uses the building site in a sustainable manner.

Certifying Agent – An individual who is a member of and accredited by the Florida Green Building Coalition to evaluate a home with respect to the criteria contained in the FGBC Green Home Designation Standard for the purposes of certifying that the qualifications for a Florida Green Home Certification have been achieved. A Certifying Agent must be an independent, third party verifier and cannot be on the payroll of any company that is responsible for construction of the home, nor can the Certifying Agent stand to profit from the certification of the project. The Certifying Agent is entitled to compensation for verification and consulting services they perform that comply with the "Certifying Agent Financial Disclosure Form."

Certifying Agent Active Status – indicates full compliance has been achieved in regard to the annual registration requirements for FGBC Certifying Agents as contained in the FGBC Green Home Designation Standard. Only Certifying Agents who have an "active status" designation are allowed to submit a project for FGBC Certification.

Certifying Agent in Good Standing – indicates that all applicable membership dues and registration fees have been paid by a Certifying Agent. Does not reflect status in regard to compliance with other registration requirements.

Certifying Agent - In-Active Status – indicates that all applicable membership dues and registration fees have been paid and the Certifying Agent is in "good standing," but compliance with the annual Activity

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Verification Form has not been achieved. An "in-active" account is eligible for "Active Status" once compliance with the Activity Verification Form has been achieved.

Certifying Agent - Suspended – indicates non-payment of applicable membership dues and registration fees by the Certifying Agent within the 90-day grace period of the annual renewal cycle. Results in the suspension of all membership and Certifying Agent privileges until all dues, fees and penalties are paid.

Certifying Agent - Revoked – indicates loss of all membership and Certifying Agent privileges. To be reinstated the Certifying Agent must retake the Certifying Agent qualifying course and exam, and comply with all registration policies in effect at that time.

4. CERTIFICATION

- a. To differentiate certification performances, the Florida Green Building Coalition has implemented a tiered rating system as follows:
 - i. Bronze = 0-30 points over the minimum point threshold
 - ii. Silver = 31-60 points over the minimum point threshold
 - iii. Gold = 61-90 points over the minimum point threshold
 - iv. Platinum = 91 points over minimum point threshold
- b. Certification of a Florida Green Home Designation shall be accomplished through an FGBC Certifying Agent(s) who has been accredited by the Florida Green Building Coalition to evaluate a home with respect to the criteria contained in this Standard.
- c. Certification of a Florida Green Home Designation shall be provided in writing and accomplished in accordance with the provisions of this Standard.
- d. Each Florida Green Home Designation certificate shall include the following:
 - i. The seal of the Florida Green Building Coalition
 - ii. The signature and typed or printed name of the Certifying Agent providing the certification services
 - iii. The date the certification was completed
 - iv. The certificate number; and
 - v. The statement: "This certification is provided by an individual who has been accredited by the Florida Green Building Coalition to perform Green Home certification evaluations. Any questions, comments, or complaints regarding the individual performing this service may be directed to the Florida Green Building Coalition."
- e. Each Florida Green Home Designation certification shall include a disclosure stating the financial interest of the Certifying Agent in the results of the certification.

5. BASIS FOR QUALIFICATION

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- a. Each new home qualifying for the Florida Green Home Designation shall meet or exceed the prevailing minimum standards of the Florida Energy Code.
- b. Each existing home qualifying for the standard shall achieve a confirmed Home Energy Rating System index not to exceed 85.
- c. Each home qualifying for the Florida Green Home Designation shall achieve at least 100 Credit Points in accordance with the Checklist of this Standard.
- d. Each home qualifying for the Florida Green Home Designation shall be certified by a Florida Green Building Coalition accredited Certifying Agent who holds an "active-status" registration at the time of submitting the certification application.

6. OFFICIAL DOCUMENTS

The official documents of the Florida Green Home Designation Standard shall be made available to the public as downloadable electronic files from the Florida Green Building Coalition website, and include:

- a. The "Checklist" shall assign Credit Points for green criteria of this Standard and shall be the official application for certification.
- b. The "Reference Guide" shall provide information on green home practices, details on how to earn points for complying with the Florida Green Home Designation Standard, and required submittal documentation for Credit Points.
- c. The "Standards" document shall describe the policies of the Florida Green Home Designation Standard.

7. ACCREDITATION OF CERTIFYING AGENTS

- a. Accreditation of Certifying Agents shall include full registration and disclosure on file with the Florida Green Building Coalition.
- b. At a minimum, the following information shall be required of, and kept on file for, each applicant for accreditation as a Certifying Agent:
 - i. Full name of applicant
 - ii. Applicant's permanent mailing address, phone number and, if applicable, e-mail and website URL
 - iii. Signed affidavit indicating the applicant has read the prevailing version of the FGBC Green Home Designation Standard, Checklist and Reference Guide.
 - iv. Signed agreement to report each certified Green Home to the Florida Green Building Coalition and to uphold the provisions of this Standard.
 - v. Signed acceptance to comply with the FGBC "Certifying Agent Code of Professional Conduct."
- c. **Certifying Agent Qualification Requirements**
In order to improve overall quality of Certifying Agents, the Agent must complete the

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following minimum requirements:

- i. One year experience in the home building industry.
Verification of experience will require written references to such activity in at least one of the below listed professions:
 - (1) Residential trade contractor or builder experience either on the jobsite or in management;
 - (2) Superintendent or other jobsite supervisor;
 - (3) Licensed or qualified home inspector or certified energy rater;
 - (4) Residential design or architectural work;
 - (5) Residential land development management;
 - (6) Green building verification for another green certification program;
 - (7) Construction consulting or training.
 - ii. 14 hours of green building education within the immediate two (2) years prior to the Certifying Agent registration application date. Submitted course work is subject to the Florida Green Building Coalition's approval and must comply with the following:
 - (1) Courses must specifically emphasize green residential construction techniques and concepts for hot humid climates;
 - (2) Course description/syllabus must be submitted with Certifying Agent Application;
 - (3) Instructors may receive education credits one time for teaching an approved course.
 - iii. Successful completion of the FGBC Green Home Designation Course and exam.
 - (1) In order to certify points in a particular category of the Standard, the Certifying Agent must achieve a passing score on the FGBC-approved exam designed to test their knowledge of the category. In lieu of receiving a passing score in each section of the exam, another Certifying Agent qualified in that category may be used to certify points.
- d. Certifying Agent Code of Professional Conduct
- i. A "Certifying Agent Code of Professional Conduct" shall be maintained by the Florida Green Building Coalition
 - ii. Any one making application to be accredited as an FGBC Certifying Agent agrees to comply with the "FGBC Certifying Agent Code of Professional Conduct" and must submit a signed affidavit indicating acceptance of the policy.
- e. Certifying Agent Annual Registration Requirements
- i. Annual registration and payment of fees to the Florida Green Building Coalition is required for all Certifying Agents.
 - ii. Annual membership and payment of dues to the Florida Green Building Coalition is required for all Certifying Agents
 - iii. Annual compliance with and submission of a completed Activity Verification Form (AVF), along with its supporting documentation, is required for all Certifying Agents.
 - (1) The Activity Verification process is to ensure that Certifying Agents are actively participating in green education and staying informed on modifications to the Florida Green Building Coalition's Green Home Standard.
 - (2) Failure to meet the minimum requirements outlined on the Activity Verification Form will result in the Certifying Agent being placed on "In-Active" status. The

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Certifying Agent will remain in good standing and retain member privileges provided all applicable fees have been paid, but will not be able to certify any projects until compliance with the AVF has been met.

(3) All credits on the Activity Verification Form must have been achieved within 12 months of the AVF submittal date..

- iv. Any Certifying Agent who fails to submit all applicable fees within 90 days of their renewal date shall be considered not in good standing, resulting in "suspension" of both Certifying Agent and member privileges. Once an account is suspended, the Certifying Agent will be required to pay a \$100 penalty fee in addition to the annual fees before privileges are restored.
- v. If an account remains unpaid for 12 months from renewal date, the Certifying Agent's registration and all privileges shall be "revoked." To be reinstated the Agent must retake the Certifying Agent qualifying course and exam, and comply with all registration policies in effect at that time.

8. FGBC CERTIFYING AGENT CODE OF PROFESSIONAL CONDUCT ENFORCEMENT PROCEDURES

a. Filing A Complaint

Alleged violations of the Code of Professional Conduct by a Florida Green Building Coalition Certifying Agent should be reported to the Florida Green Building Coalition, in writing, for review and possible remedial action.

- i. Any individual or entity (the "Complainant") who believes himself/herself/itself to be aggrieved by any action or omission by an FGBC Certifying Agent that violates the Code of Professional Conduct may file a complaint with the Florida Green Building Coalition.
- ii. The complaint shall:
 - (1) be submitted in writing to the Executive Director at the Florida Green Building Coalition.
 - (2) be signed by the Complainant and include the Complainant's address, phone number, and email address. If the Complainant is an entity, the Complainant shall designate one spokesperson or designated contact.
 - (3) include a concise statement of the complaint, the name of the FGBC Certifying Agent allegedly responsible for conduct causing the complaint (the "Adverse Party"), and names of all persons related directly to the occurrence. Include contact information, if known, for all parties involved.
 - (4) state the relief sought.

b. Discipline

All complaints will be reviewed and proper disciplinary measures will be determined by the FGBC Board of Directors or its designee. Depending on the circumstances of the individual complaint, the decision may be to impose no disciplinary measures or to impose one or more of the following disciplinary measures:

i. Written reprimand

The Board may direct that the reprimand be private or public. The reprimand will serve as documentation for any further disciplinary action if further violations are reported.

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- ii. Probation
An FGBC Certifying Agent may be placed into a probationary period that has been defined for a specific amount of time. Also, the specific conditions of the probation shall be described, as shall the consequences of failing to meet them. Some or all of the FGBC Certifying Agent's privileges may be suspended during the probationary period. The Board may direct that the probation be private or public.
- iii. Suspension
A ruling of suspension prohibits the FGBC Certifying Agent from participating in FGBC activities, programs, and any other privileges of accreditation or membership. The Board may limit the effect of a suspension to certain benefits or programs, and may establish conditions that, if satisfied, will result in the lifting of a suspension. The Board may direct that the suspension be private or public.
- iv. Revocation
A ruling that, either permanently or pending reinstatement, revokes the individual's accreditation and membership with FGBC. The Board may establish conditions that, if satisfied, will result in reinstatement. If Certifying Agent accreditation is terminated, FGBC shall not be required to refund or reimburse registration or membership fees. The Board may direct that the revocation be private or public.
- c. It is the intent of the enforcement procedures that the range of disciplinary measures is as broad and flexible as possible so that disciplinary measures can be appropriately applied to remedy and redress the violation that has been committed.

9. SUSPENSION OR REVOCATION OF CERTIFYING AGENT ACCREDITATION

a. For Failure to Correct Deficiencies.

If the Florida Green Building Coalition determines at any time that a Certifying Agent has failed to adhere to the accreditation requirements, the accreditation body shall notify the Certifying Agent, in writing, via e-mail, or by phone of the specified deficiencies and shall require that specific corrective action, set forth in the notification, be taken not later than 30 calendar days after the date set forth in such notification.

- i. In the event that the deficiencies have not been remedied, the Florida Green Building Coalition shall have the authority to immediately begin the process of suspension by issuance of a Notice of Suspension Proceedings. Such Suspension Proceedings shall follow the due process procedures contained in Section 9.c below. The notice may be appealed in accordance with procedures set forth in Section 10.
- ii. In the event that the specified deficiencies are not corrected within the application period set forth in the Notice of Suspension, a Notice of Revocation Proceeding shall be issued by the Florida Green Building Coalition. Such Revocation Proceeding shall follow the due process procedures contained in Section 9.c below. The Notice of Revocation may be appealed in accordance with the procedures set forth in Section 10.

b. For Cause.

Any Certifying Agent accredited by the Florida Green Building Coalition may have their accreditation revoked in any of the following circumstances:

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- i. Failure to comply with the FGBC "Certifying Agent Code of Professional Conduct."
- ii. Upon determination by the Florida Green Building Coalition that a Certifying Agent has acted in such a manner as to impair the objectivity or integrity of the accrediting program or harm the reputation of the Florida Green Building Coalition including, but not limited to submission of false information to the Florida Green Building Coalition, or failure to submit to the Florida Green Building Coalition any material information required to be submitted by the Certifying Agent, in connection with obtaining or maintaining accreditation; knowingly or negligently issuing certifications that fail to meet all of the certification criteria; or misrepresentation by the Certifying Agent in advertising or promotional materials of its accreditation status in general or with respect to any service provided by the Certifying Agent.
- iii. Pursuant to any of the expressed provisions of Section 7 or any of the expressed provisions of the accreditation application, including but not limited to the following:
 - (1) Certifying Agent does not re-apply at the end of existing accreditation period;
 - (2) Failure to satisfy accreditation requirements on renewal;
 - (3) Investigated and validated consumer complaints;
 - (4) Willful misconduct;
 - (5) Failure to disclose a self-serving interest;
 - (6) Upon expiration of a Certifying Agent's right to appeal, a suspension of accreditation pursuant to Section 8.c.
- iv. Failure to comply with the FGBC Certifying Agent Code of Professional Conduct.

c. Suspension/Revocation Due Process

The Florida Green Building Coalition shall comply with the following due process procedures in considering any suspension or revocation actions against an accredited Certifying Agent.

- i. **Notice**

The Florida Green Building Coalition may, at its discretion, initiate a proposed suspension or revocation action against an accredited Certifying Agent by providing the Certifying Agent written notice of the proposed action sent by certified mail, return receipt requested, to the last known address of the Certifying Agent. Such notice shall inform the Certifying Agent of the entire basis and justification for the proposed action.
- ii. **Contest of Proposed Suspension/Revocation**

A respondent may contest a proposed suspension/revocation by filing a response with the Florida Green Building Coalition within 30 days of receipt of the notice. The response shall contain all pertinent and substantive information and argument that is in contradiction to the proposed suspension/revocation, including identification of all disputed materials and facts. If the respondent fails to file said response within the allotted time, the Florida Green Building Coalition may, at its discretion, suspend/revoke the accreditation of the respondent effective immediately upon written notification to the respondent.
- iii. **Hearing**

If the respondent files a timely response contesting the proposed suspension/revocation and requests a hearing, the Florida Green Building Coalition will appoint an independent, unbiased, and qualified hearing officer and issue a decision on the proposed

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suspension/revocation. The hearing officer will review the notice of suspension/revocation and the respondent's contest. If the hearing officer finds that the respondent's contest has raised substantiated and valid factual argument to the contrary of the proposed suspension/revocation, the respondent shall be afforded an opportunity to participate in an open and public hearing, and to submit additional documentary evidence, and rebuttal argument to any material contained in the original notice of suspension/revocation or developed during the course of the hearing officer's investigation. The notice shall be provided to the respondent by written notice by certified mail, return receipt requested, to the last known address of the respondent at a minimum of 60 days before the scheduled hearing.

iv. **Hearing Officer's Decision**

The hearing officer shall issue a written decision on the proposed suspension/revocation that is based on all the information contained in the hearing record including statements of the factual and legal basis of the decision. If the hearing officer decides to impose suspension or revocation, the decision must include findings regarding all disputed materials, and justification for all findings. A suspension/revocation decision by the hearing officer shall take effect upon the issuance of the hearing officer's decision and the written notification of such decision to the respondent.

v. **No Ex Parte Communication**

No ex parte communication between the parties and the hearing officer shall be allowed.

10. APPEALS PROCEDURES FOR SUSPENSION OR REVOCATION

a. **Notification** The Florida Green Building Coalition shall notify the Certifying Agent of any and all disciplinary actions. Additionally, the Florida Green Building Coalition shall clearly notify the Certifying Agent of all procedures and rights to remedy.

b. **Appeal**

- i. In the event that an accreditation application was not approved or the accreditation has been suspended, the Certifying Agent shall have the right, for a period of 30 calendar days after the date of notice, to appeal to the Florida Green Building Coalition.
- ii. In the event that a Certifying Agent's accreditation is suspended following the expiration of the period to appeal a suspension, in the absence of an appeal having been taken, the Certifying Agent shall have the right to appeal to the Florida Green Building Coalition for a period of 30 calendar days after the date of issue of a Notice of Suspension.
- iii. An appeal shall be in writing, specify the basis for the appeal, and be sent by certified mail or other method that provides evidence of delivery to the Executive Director of the Florida Green Building Coalition.
- iv. The appellant Certifying Agent may, at the time of noticing the appeal, request in writing, a hearing. In such an event, the Florida Green Building Coalition shall, not later than 10 calendar days after the filing of the notice of appeal, appoint a hearing officer and notify the appellant Certifying Agent of the date of the hearing, which shall be held as expeditiously as possible, but not later than 30 calendar days after the receipt of the notice of appeal.

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11. REVISION OF THE FLORIDA GREEN HOME DESIGNATION STANDARD

- a. Periodic review.** At least triennially, the provisions set forth in these Green Home Designation Standards shall be reviewed by the Standards Committee of the Florida Green Building Coalition in collaboration with other stakeholders. At a minimum, this review shall include consideration and evaluation of changes in the law, technological innovations, and comments and requests received from interested parties.
- b. Annual Revision Cycle**
- i. The Board of Directors of the Florida Green Building Coalition may revise the FGBC Green Home Designation Standard at any time according to Section 11.c.
 - ii. All modification requests shall be disposed of on an annual cycle such that modification requests received on or before the last working day of December are included in the revision cycle that concludes no later than the last working day of May.
 - iii. The annual revision cycle is:
 - (1) Dec 31 - Last date to accept public modification requests for review
 - (2) Feb 28 - Last date for review and approval by the FGBC Green Home Standard Committee of all modification requests
 - (3) April 1 - Last date for posting revised proposed standards on website for 30-day public comment period.
 - (3) June 1 - Effective date of revised standard
- c. Revision Procedures**
- i. Submit a modification request to Florida Green Building Coalition on the official "Modification Request Form" available from the FGBC website.
 - ii. Modification Requests shall be reviewed by the FGBC Green Home Standard Committee for consensus recommendation.
 - iii. The proposed revised standard documents shall be posted on the FGBC website for a 30-day public comment period with notification to the general membership.
 - iv. Following the public comment period, each public comment received shall be reviewed by the Florida Green Building Coalition Green Home Standard Committee for consensus recommendation.
 - v. The FGBC Green Home Standard Committee shall be responsible for conducting the periodic evaluation through a consensus process, whereby both consenting and the non-consenting opinions are documented and incorporated as comments into each report or proposal to change.
 - vi. Public comment proposals for change receiving two-thirds majority support from the FGBC Green Home Standard Committee shall be incorporated into a set of revised Florida Green Home Designation Standard documents.
 - vii. The proposed final version of the revised Standard documents shall be submitted to the FGBC Board of Directors for review.
 - viii. The Board of Directors of the Florida Green Building Coalition shall adopt, adopt with modification, or reject the proposed revised Standard.

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d. Procedure for Submission of Modification Requests

- i. Proposals to change the Florida Green Home Designation Standards may be submitted to the Florida Green Building Coalition in writing, at any time, using the official "Modification Request Form" posted on the FGBC website.
- ii. All proposals to change the Florida Green Home Designation Standard that meet the criteria set forth in this section of these Standards shall be accepted for consideration and evaluation.
- iii. At a minimum the modification request shall include the following
 - (1) Identification of submitter, including:
 - (a) Name, address, contact information and affiliation of submitter
 - (b) Full description of criteria seeking placement or modification
 - (c) Technical basis for placing or modifying criteria within the Standard
 - (d) Recommended number of credit points
 - (e) Justification for recommended number of credit points
 - (f) Signature of submitter
 - (g) Date Modification Request Form is submitted to the Florida Green Building Coalition
 - (2) Specific revisions in a format that clearly identifies the manner in which the Florida Green Home Designation Standards are to be altered (i.e. underline/strikeout format or equivalent). Any proposal to change the Florida Green Home Designation Standards that does not include proposed alteration(s) shall be rejected and returned to the submitter.
 - (3) Substantive reason(s) or justification for each proposed change. The lack of substantive justification for a proposed change may result in the rejection of the proposal and return to the submitter.
 - (4) Supporting documentation that may be needed for the reasoned evaluation of the proposal.