

B.C. Reg. 236/2012
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Clean Energy Act

IMPROVEMENT FINANCING REGULATION

Note: Check the Cumulative Regulation Bulletin 2014
for any non-consolidated amendments to this regulation that may be in effect.

[includes amendments up to B.C. Reg. 174/2013, January 1, 2014]

Point in Time

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Definitions

1 In this regulation:

- "**Act**" means the *Clean Energy Act*;
- "**application date**" means the date on which an eligible person applies for improvement financing under section 17.1 of the Act;
- "**ASTT**" means the Applied Science Technologists and Technicians of British Columbia;
- "**billing period**", in relation to an eligible person, means the 12-month period immediately before the application date;
- "**HRAI**" means the Heating, Refrigeration and Air Conditioning Institute of Canada;
- "**prescribed public utilities**" means the public utilities prescribed under section 3;
- "**specified building**" means a residential building of 3 stories or fewer that occupies no more than 600 m² of ground surface, is habitable all year and is
 - (a) a detached home,

- (b) a building that is part of a complex of side-by-side attached buildings, or
- (c) a mobile home on a permanent foundation;

"TECA" means the Thermal Environmental Comfort Association.

Eligible persons

- 2 The requirements prescribed for the purposes of the definition of "eligible person" in section 17.1 (1) of the Act are that
- (a) the person owns a specified building, or part of a specified building,
 - (i) Repealed. [B.C. Reg. 174/2013, Sch. s. 1 (b).]
 - (ii) in the Regional District of Okanagan-Similkameen, other than those persons who receive electricity from the municipal public utilities of the City of Penticton or the District of Summerland,
 - (iii) on Vancouver Island, or
 - (iv) in the City of Kelowna,
 - (b) in the case of a specified building, or part of a specified building, on Vancouver Island, the building or part of the building is heated with electricity,
 - (c) the person must have paid on or before the due date all, or all but one, of the bills issued, if any, during the billing period by the public utility from whom the financing is sought, and
 - (d) the person, on the application date, must have a credit rating of at least 650 on the Equifax Beacon rating system.
- [am. B.C. Reg. 174/2013, s. (a) and Sch. s. 1.]

Prescribed public utilities

- 3 (1) The authority is prescribed for the purposes of section 17.1 of the Act respecting eligible persons referred to in section 2 (a) (iii) of this regulation.
- (2) FortisBC Inc. and FortisBC Energy Inc. are prescribed for the purposes of section 17.1 of the Act respecting eligible persons referred to in section 2 (a) (ii) or (iv) of this regulation.
- [am. B.C. Regs. 270/2012, s. (a); 174/2013, Sch. s. 2.]

Terms and conditions

- 4 (1) The prescribed public utilities, under a financing agreement,
- (a) may charge interest on the amount owing under the financing agreement from time to time, but the interest must be payable at a fixed rate that does not exceed 4.5 annual percentage rate, and
 - (b) must provide that the principal and any interest owing under the financing agreement is payable over a term of not less than 5 years, and that the amount of the principal and interest payments is determined on the basis of an amortization period of not less than 5 years.
- (2) For certainty, application fees, administration fees and late payment charges payable by a borrower in connection with the financing under a financing agreement do not constitute interest charges for the purposes of subsection (1).

Prescribed improvements

- 5 The following improvements are prescribed for the purposes of section 17.1 (4) (d) (i) (B) of the Act:
- (a) air sealing;
 - (b) mechanical ventilation;

- (c) attic insulation;
- (d) exterior wall insulation;
- (e) basement, crawlspace and header insulation;
- (f) primary method of heating occupied space;
- (g) domestic hot water heating;
- (h) window and door replacement.

Aggregate outstanding balances

6 The following amounts for the period from November 1, 2012 to January 1, 2015, are prescribed for the purposes of section 17.1 (8) of the Act:

- (a) \$500 000, for the authority;
- (b) \$500 000, for FortisBC Inc.;
- (c) \$800 000, for FortisBC Energy Inc.

[am. B.C. Regs. 270/2012, s. (b); 174/2013, s. (b).]

Qualified energy advisors

7 To be a qualified energy advisor for the purposes of section 17.1 of the Act, an energy advisor must

- (a) be certified as an energy advisor by Natural Resources Canada, and
- (b) be employed by or under contract with a service organization licensed by Natural Resources Canada to perform EnerGuide Rating System evaluations.

Energy reports

8 (1) An energy report respecting a specified building, or part of a specified building, must

- (a) be signed and dated by the qualified energy advisor who made the report,
- (b) be dated no earlier than 18 months before the date the financing agreement is entered into respecting the specified building or part of the specified building,
- (c) include the EnerGuide Rating for Housing rating for the specified building,
- (d) include the Residential Retrofit Energy Savings Estimate published by the ministry, and
- (e) in the case of a specified building, or part of a specified building, in the City of Colwood, confirm that the building or part of the building is heated with electricity.

(2) The estimate referred to in subsection (1) (d) may be included in an energy report after the report is otherwise completed, provided that the estimate is included in the report before the financing agreement is entered into between the parties.

Qualified person

9 A person is a qualified person for the purposes of section 17.1 of the Act if the person

- (a) is the owner of the specified building, or part of the specified building, with respect to which improvements are made under a financing agreement, or
- (b) is authorized by the owner referred to in paragraph (a) to carry out the improvements under a financing agreement, and
 - (i) has attended, or is employed by a person who employs an individual who has attended, an information session respecting section 17.1 of the

Act held by the ministry of the minister, and

(ii) for improvements recommended by energy reports signed and dated on or after October 2, 2013, and referred to in column 2 of the following table, has, or is employed by a person who employs an individual who has, one of the credentials referred to in column 1 of the following table opposite that improvement:

Item	Column 1 Credential	Column 2 Improvement
1	(a) Quality First Forced Air Guidelines Certification from TECA (b) SkillTech Residential Heat Loss/Gain and Air System Design Certification from HRAI (c) Registered Applied Science Mechanical Engineering Technologist certificate from ASTT	Air source heat pump installation or a natural gas furnace installation
2	(a) Quality First Hydronics and Combo Certification from TECA (b) SkillTech Residential Heat Loss/Gain and Air System Design Certification from HRAI (c) Registered Applied Science Mechanical Engineering Technologist certificate from ASTT	Boiler installation
3	(a) Quality First Ventilation Certification from TECA (b) SkillTech Residential Heat Loss/Gain and Air System Design Certification from HRAI (c) Registered Applied Science Mechanical Engineering Technologist certificate from ASTT	Heat recovery ventilator installation

Notice

10 The form set out in the Schedule is prescribed for the purposes of section 17.1 (4) (b) (ii) of the Act.

Schedule

Improvement Financing: Notice of Transfer

This notice is provided by[name of transferor]..... to[name of public utility]..... (the parties) in accordance with section 17.1 (4) (b) (ii) of the [Clean Energy Act](#).

On[date].....,[name of transferor]..... transferred his or her obligations under the financing agreement between the parties that

- (a) was entered into on[date]..... for a term ending on[date]..... ,
 - (b) provided[total amount of financing provided]..... at an interest rate of , and
 - (c) financed the following improvements at[address of building]..... :.....[description of each improvement financed by the financing agreement].....
-

The transferor's customer utility number is..... .

The obligations under the financing agreement have been transferred to[name, address and contact information of transferee]..... . The outstanding balance under the financing agreement on the date of transfer is

The transferee, by signing this notice, acknowledges having received from the transferor a copy of the energy report that supported the financing agreement between the parties, having read and understood the terms and conditions of the financing agreement, and having agreed to assume the outstanding obligations of the transferor under the financing agreement.

.....
[signature of transferee] [date]
.....

[signature of transferor] [date]

[Provisions relevant to the enactment of this regulation: [Clean Energy Act](#), S.B.C. 2010, c. 22, section 37 (g.1)]