

Chapter ILHR 67

RENTAL UNIT ENERGY EFFICIENCY STANDARDS

SUBCHAPTER I		SUBCHAPTER IV	
PURPOSE AND SCOPE		INSPECTION AND CERTIFICATION	
ILHR 67.01	Purpose (p. 1)	OF RENTAL UNITS	
ILHR 67.02	Scope (p. 1)	ILHR 67.07	Request for energy efficiency inspection (p. 12)
ILHR 67.03	Application (p. 2)	ILHR 67.08	Issuance of certificate, waiver or stipulation (p. 13)
SUBCHAPTER II		ILHR 67.09	Proof of certification (p. 15)
DEFINITIONS		ILHR 67.10	Recordation (p. 15)
ILHR 67.04	Definitions (p. 2)	ILHR 67.11	Revocation of certificate (p. 15)
SUBCHAPTER III		SUBCHAPTER V	
RENTAL UNIT ENERGY		APPEALS AND PENALTIES	
EFFICIENCY STANDARDS		ILHR 67.12	Appeals (p. 15)
ILHR 67.05	Energy efficiency standards (p. 5)	ILHR 67.13	Penalties (p. 16)
ILHR 67.06	Cost payback exemptions (p. 8)		

Subchapter I Purpose and Scope

ILHR 67.01 Purpose. The purpose of this chapter is to establish rules for the department to administer and enforce s. 101.122, Stats.

History: Cr. Register, February, 1983, No. 326, eff. 3-1-83; r. and recr. Register, December, 1984, No. 348, eff. 1-1-85.

ILHR 67.02 Scope. The rules contained in this chapter establish minimum energy efficiency standards for rental units that must be met before the ownership of a rental unit may be transferred; inspection procedures for determining whether a rental unit complies with the energy efficiency standards specified in this chapter; procedures for certifying that a rental unit meets the energy efficiency standards specified in this chapter; procedures for obtaining an exemption from a specific energy conservation measure based on a 5-year cost payback; procedures for obtaining a stipulation or waiver for rental units that do not meet the standards specified in this chapter; and procedures that the department will use to administer and enforce this chapter.

(1) **STATE RENTAL UNIT ENERGY CODE.** The energy efficiency standards in this chapter shall apply to all rental units in this state unless specifically exempted.

(2) **MUNICIPAL RENTAL UNIT ENERGY CODES.** After the effective date of this chapter, no municipality may enforce a code or ordinance of minimum energy efficiency standards for rental units in the municipality unless the energy efficiency standards of the code or ordinance are at least as strict as the energy efficiency standards specified in this chapter.

(a) *Department authorization.* The department may authorize a municipality in writing to issue the department certificate specified in s. ILHR 67.08, if the department determines that the municipality can provide adequate inspection service of the standards under subch. III.

(b) *Filing of certificates.* A copy of all certificates issued by the municipality under par. (a) shall be filed with the department.

(c) *Revocation of municipal authority.* The department may revoke the authority of a municipality to issue the department certificate at any

ILHR 67

time that it determines the municipality is issuing department certificates without adequate inspection of the standards under subch. III.

History: Cr. Register, February, 1983, No. 326, eff. 3-1-83; r. and recr. (intro.), Register, December, 1984, No. 348, eff. 1-1-85.

ILHR 67.03 Application. (1) **RENTAL UNITS COVERED.** After January 1, 1985, no owner may transfer a rental unit unless an inspector certified by the department has issued a certificate indicating that the rental unit meets the rental unit energy efficiency standards specified in this chapter; or unless a waiver has been issued as specified in s. ILHR 67.08 (2); or unless a stipulation is issued as specified in s. ILHR 67.08 (3).

(2) **RENTAL UNITS EXCLUDED.** The following rental units are excluded from the provisions of this chapter:

(a) Any dwelling unit not rented at any time from November 1 to March 31;

(b) Any building which contains up to 4 rental units and one of the dwelling units is occupied by the owner;

(c) Any building constructed after December 1, 1978, which contains up to 2 dwelling units and which is less than 10 years old;

(d) Any building constructed after April 15, 1976, which contains more than 2 dwelling units and which is less than 10 years old;

(e) Mobile homes;

(f) Hotels and motels used primarily for transient residency;

(g) Health care facilities; and

(h) Buildings which are declared condominiums under ch. 703, Stats., prior to the effective date of the rules contained in this chapter.

(3) **MULTIPLE USE OCCUPANCY.** Any building which contains a rental unit, and which is not excluded under sub. (2), and is located in a building with another occupancy shall comply with the following:

(a) If the rental unit comprises more than 50% of the total gross area of the building, the entire building shall be made to conform to the provisions of this chapter.

(b) If the rental unit comprises 50% or less of the total gross area of the building, only items specific or unique to the rental unit portion of the building shall comply with the provisions of this chapter.

(4) **RENTAL UNITS IN CONDOMINIUMS.** Any unit which serves as a rental unit in a condominium building which is not excluded under sub. (2) shall, at the time of transfer, be brought into compliance with the provisions of s. ILHR 67.05 to the extent that each rental unit has the specific building element.

History: Cr. Register, February, 1983, No. 326, eff. 3-1-83; am. (1), (2) (intro.) and (h), cr. (3) and (4), Register, December, 1984, No. 348, eff. 1-1-85.

Subchapter II Definitions

ILHR 67.04 Definitions. In this chapter:

Register, December, 1984, No. 348

(1) "Accessible" means capable of being reached without removal or alteration of any part or parts of the permanent structure, finish materials or paved sidewalk or driveway. Cavities under floors in unfinished attic areas are accessible.

(2) "Box sill" means that portion of the building envelope between the top of the foundation wall and the sub-floor immediately above, or the perimeter of the floor joists.

(3) "British thermal units" means the quantity of heat required to raise the temperature of one pound of water one degree Fahrenheit at or near 39.2° F.

(4) "Condominium" means a multiple dwelling unit building in which there is separate ownership of individual dwelling units created by ch. 703, Stats.

(5) "Department" means the department of industry, labor and human relations.

(6) "Dwelling unit" means a building or that part of a building which is used as a home or residence.

(7) "Energy conservation measure" means any measure which increases the energy efficiency of a rental unit, including, but not limited to, the installation of caulking, weatherstripping, insulation and storm windows.

(8) "Fahrenheit" means a thermometric scale in which 32° denotes freezing and 212° denotes boiling of water under normal pressure at sea level.

(9) "Financial institution" means any state or nationally chartered bank, savings and loan association, credit union, mutual savings bank, trust company bank or other lending authority created or licensed under state or federal law.

(10) "Finish material" means drywall, plaster, siding or other material covering the structure, but does not include floors in unfinished spaces.

(11) "Gross area" means the occupied or usable floor area in a building but not including space occupied by columns, walls, partitions, mechanical shafts or ducts.

(12) "Health care facilities" means either hospitals or nursing homes.

(13) "Inspector" means a person certified by the department to perform inspections for energy efficiency in rental units.

(14) "Municipality" means a city, village or town.

(15) "Owner" means any person having a legal or equitable interest in a rental unit, but does not mean a tenant with or without an option to purchase.

(16) "Owner-occupied" means one dwelling unit in a rental unit building used as the primary residence by the owner for at least one year immediately after the date of transfer.

(17) "Rental unit" means a building or that part of a building used as a home or residence which is rented.

(18) "Sidewalls" means the exterior building envelope walls excluding the box sill and including windows, doors, and other openings above the box sill.

(19) "Thermal performance" means the gross heat loss from the exterior building envelope.

(20) "Thermal resistance (R)" means a measure of the ability of materials to retard the flow of heat. The R-value is the reciprocal of a heat transfer coefficient or thermal transmittance, expressed by U; $R = 1/U$.

Note: The higher the R-value of a material, the more difficult it is for heat to flow through the material.

(21) "Thermal transmittance (U)" means the coefficient of heat transmission expressed in units of Btu per hour per square foot per degree F. It is the time rate of heat flow. The U-value applies to combinations of different materials used in series along the heat flow path and also to single materials that comprise a building section, and includes cavity air spaces and surface air films on both sides.

Note: The lower the U-value of a material, the more difficult it is for heat to flow through the material.

(22) "Transfer" means a conveyance of ownership interest, including a controlling stock interest, in a rental unit by deed, land contract or judgment; or conveyance of an interest in a lease in excess of one year which was contracted before January 1, 1985 with an option to purchase. Transfer does not mean a conveyance under chs. 851 to 879, Stats., (probate) or mean:

(a) Transfers for nominal or no consideration which confirm, correct or reform a transfer previously made;

(b) Transfers for delinquent taxes or assessments to federal, state or local governments provided that, before subsequent transfer, the transferee presents the stipulation described in this chapter, and that compliance shall be no later than one year after the date of the subsequent transfer;

(c) Transfers resulting from court-ordered partitions of property;

(d) Transfers resulting from involuntary merger or liquidation of financial institutions;

(e) Transfers from a subsidiary corporation to its parent for no consideration, or in sole consideration of cancellation, surrender or transfer of capital stock between parent and subsidiary corporation;

(f) Transfers between husband and wife or parent and children for nominal or no consideration;

(g) Transfers between agent and principal or trustee and beneficiary without actual consideration;

(h) Transfers made solely to provide security for a debt or obligation or transfers made to or from financial institutions solely for release of security for debt or obligation;

(i) Transfers pursuant to or in lieu of condemnation;

(j) Transfers pursuant to property division under ch. 767, Stats., (divorce);

(k) Transfers of property to financial institutions pursuant to foreclosure or in lieu of foreclosure provided that, before subsequent transfer, the transferee present a stipulation as described in this chapter, and that compliance shall be no later than one year after date of the subsequent transfer;

(l) Transfers of property to persons licensed under ch. 452, Stats., (real estate broker) solely for the purpose of facilitating sale of property, provided the sales contract stipulates that property shall meet the rules if it is not sold within a year, and provided that, before subsequent transfer, the transferee present a stipulation as described in this chapter, and that compliance shall be no later than one year after date of the subsequent transfer; and

(m) Transfers to trustees in court-declared bankruptcies, provided that before subsequent transfer, the transferee present a stipulation as described in this chapter, and that compliance shall be no later than one year after date of the subsequent transfer.

Note: It is the intent of this definition to exempt transactions which are involuntary, for security purposes or for nominal consideration.

(23) "Vapor barrier" means a material, including vapor barrier paint, with a vapor transmission rate not greater than 1.00 perm.

History: Cr. Register, February, 1983, No. 326, eff. 3-1-83; am. (1) and (6), r. and recr. (4) and (11), r. (22), renum. (10), (12) to (21) to be (12) to (22) and am. (16), (17) and (22), cr. (10), Register, December, 1984, No. 348, eff. 1-1-85.

ILHR 67.05 Energy efficiency standards. Any building containing rental units, except those specified in s. ILHR 67.03 (2), transferring ownership after January 1, 1985, shall meet the minimum prescriptive energy conservation measures specified in this section, unless an exemption has been issued under s. ILHR 67.06 or unless a waiver or stipulation has been issued as specified in s. ILHR 67.08 (2) and (3).

(1) **INSULATION.** Insulation shall be provided in all accessible areas as specified in Table 67.05.

TABLE 67.05

BUILDING ELEMENT	AMOUNT OF INSULATION REQUIRED		
	If R-0 to R-10 is present initially	If R-11 to R-18 is present initially	If R-19 or more is present
Ceiling (f) (i)	R-38	Add R-19	None
BUILDING ELEMENT	If R-0 to R-2.5 is present initially	If R-3 to R-10 is present initially	If R-11 or more is present initially
Box Sills (c)	R-19	Add R-11	None
Side Walls (c) (f) (i)	R-11	None	None
Floors over unheated basements or unheated crawl spaces (a) (c) (e) (g) (h)	R-19	Add R-11	None
BUILDING ELEMENT	AMOUNT OF INSULATION REQUIRED		
Heating Supply Ducts In Unheated Spaces and Unheated Basements (a)		R-5	
Steam Heating Pipes (b)		R-4	
Hydronic Heating Pipes (b)		R-2	
Domestic Hot Water Pipes Circulating		R-2	
Non-Circulating Within 5 Feet of Water Heater		R-2	
Access Panels or Doors to Attics or Unheated Areas			
Horizontal		R-19	
Vertical		R-5	
Foundations (d) (e)			
Exterior (above grade and to 18" below grade) or Interior (full height)		R-5	
		R-5	

(a) Basements and crawl spaces are considered to be unheated unless foundation walls are insulated.

(b) Steam and hydronic heating pipe located in "dwelling units" need not be covered with insulation.

(c) Exterior walls of garages are not required to be insulated. Walls or floors separating the garage from the dwelling unit shall be insulated, if accessible.

(d) Slab-on-grade foundations shall have exterior insulation. Floating slabs need only be insulated for the thickness of the slabs.

(e) Insulation of the foundation walls or insulation of the floor above the basement or crawl space is required but not both.

(f) Wall and ceiling cavities open to the attic area shall be insulated.

(g) If the basement ceiling is insulated, precautions may need to be taken to prevent the freezing of water service pipe.

(h) If floors over unheated crawl spaces are insulated, a vapor barrier shall be installed over the floor of the crawl space.

(i) If knob and tube wiring is present, insulation shall be installed in such a way as not to cause a hazard. If there is live knob and tube wiring under an attic floor or within walls, insulation may not be blown under the floor or into the wall cavities because the good condition of the wiring cannot be assured.

(2) **WINDOWS.** All windows shall be double glazed or shall be provided with exterior or interior storm windows except that hopper, awning and metal casement, type windows and windows of store fronts are exempt from the requirements of this subsection. Where exterior storms are installed over openable windows required for natural ventilation, a portion of the storm shall be openable from the inside. Windows located at boiler or furnace rooms do not need to be double glazed or equipped with storms.

(3) **WEATHERSTRIPPING.** Windows designed to be opened, doors exposed to the exterior, and doors and access panels to unheated spaces shall be provided with weatherstripping. The crack where the weatherstripping is installed may not exceed 0.10 inches. Windows located in boiler or furnace rooms need not be weatherstripped.

(4) **CAULKING.** All accessible exterior joints within the first 3 stories between the foundation and box sill; around the windows and door frames; at penetrations from utility services and pipes, dryer vents and all other openings or cracks in the exterior building envelope shall be caulked, gasketed or otherwise sealed. This requirement does not apply to openings for combustion air and joints in the siding.

(5) **DOORS.** Patio doors shall be insulated, double glazed or equipped with a storm door. Where no vestibule exists, inward swinging exterior doors shall be insulated, double glazed or equipped with a storm door. Door lites need not be glazed. All storm doors shall be equipped with a self-closing device.

(6) **MOISTURE CONTROL.** (a) *Ceilings.* Minimum ventilation shall be provided above the ceiling or attic insulation. The free area of ventilation shall be at least 1/300 of the horizontal area. Where overhangs with soffits are provided, one-half of the free area shall be near the eaves and one-half in the upper one-third of the roof or gable. Where it is impractical to install gravity venting, power vent systems may be used to provide equivalent ventilation. Power vents shall be connected to a humidistat.

(b) *Crawl spaces.* Minimum ventilation shall be provided in unheated crawl spaces. The area of ventilation shall be at least 1/300 of the floor space. The area of ventilation shall be distributed equally to at least 2 openings in the foundation wall. The openings shall be located to provide cross ventilation. Where accessible, a vapor barrier shall be applied to cover the exposed earth.

(7) **EQUIPMENT.** All heating equipment and water heaters shall have been inspected within the past 6 months of energy efficiency inspection by a contractor, service technician, or energy supplier to ensure that the equipment is properly adjusted and maintained. Water heaters located in unheated spaces shall be provided with insulated jackets with a minimum insulating value of R-5. Water heaters stamped as meeting ASHRAE 90-75, 90-77 or 90A-80 may be located in unheated spaces without insulating blankets. Combustion air openings shall be unobstructed. All showers shall be equipped with flow restrictors rated at 3

gallons per minute or less. Through-wall air conditioners shall be fully covered, and effectively sealed from the inside or outside or both during the heating season.

Note 1: ASHRAE is an acronym for the American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc. Copies of ASHRAE standards for domestic water heating systems may be purchased from the ASHRAE Publications Sales Department, 1791 Tullie Circle, N.E. Atlanta, Georgia 30329.

Note 2: The department will accept as evidence a service report signed and dated by the contractor, service technician or energy supplier that the heating equipment and water heater is properly adjusted and maintained.

History: Cr. Register, February, 1983, No. 326, eff. 3-1-83; am. (intro.), (2) to (5) and (7), r. and recr. table, Register, December, 1984, No. 348, eff. 1-1-85.

ILHR 67.06 Cost payback exemptions. No specific energy conservation measure may be required under s. ILHR 67.05 (1) to (5) and (7) where the cost payback obtained from installing the specific energy measure exceeds 5 years. In order to receive an exemption for a specific energy measure, the owner shall submit evidence to the department to demonstrate that the cost payback for the specific energy measure exceeds 5 years. Envelope cost payback calculations shall be made in accordance with this section unless otherwise approved by the department. All calculations and analyses shall be based on the actual conditions to which the specific energy measure is subject. Other nonenvelope cost payback calculations utilizing principles and concepts outlined in this section may be approved by the department. The final acceptance of any cost payback shall be made by the department.

(1) **APPLICATION FOR COST PAYBACK EXEMPTIONS.** Any request for an exemption of a specific energy conservation measure based on cost payback shall be made in writing on application forms provided by the department.

Note: See Appendix for an example of the application form (SBD-7303).

(2) **PROCESSING APPLICATIONS FOR EXEMPTIONS.** (a) *Information required.* Any application for an exemption shall be submitted to the department for processing along with the 5-year payback calculations, drawings and pictures describing the specific energy conservation measure to be exempted, fuel bills or utility documentation of fuel cost, the cost estimate for the installed specific energy conservation measure, and processing fees. The application form shall be signed and dated by the owner requesting the exemption.

(b) *Department processing.* The department shall evaluate and process the application in accordance with this section and shall process the applications for exemption in the order of the date the applications are received by the department. All forms shall be completed and all information requested shall be received by the department before processing of the exemption will occur. Analyses submitted on department worksheets or pre-approved analyses shall receive priority over alternative analysis methods.

(3) **EXEMPTION FOR FOUNDATION INSULATION.** Any request for an exemption from foundation insulation shall include an analysis of the cost payback for each of the following conditions:

(a) Installing insulation of the basement or crawl space ceiling, if accessible;

Register, December, 1984, No. 348

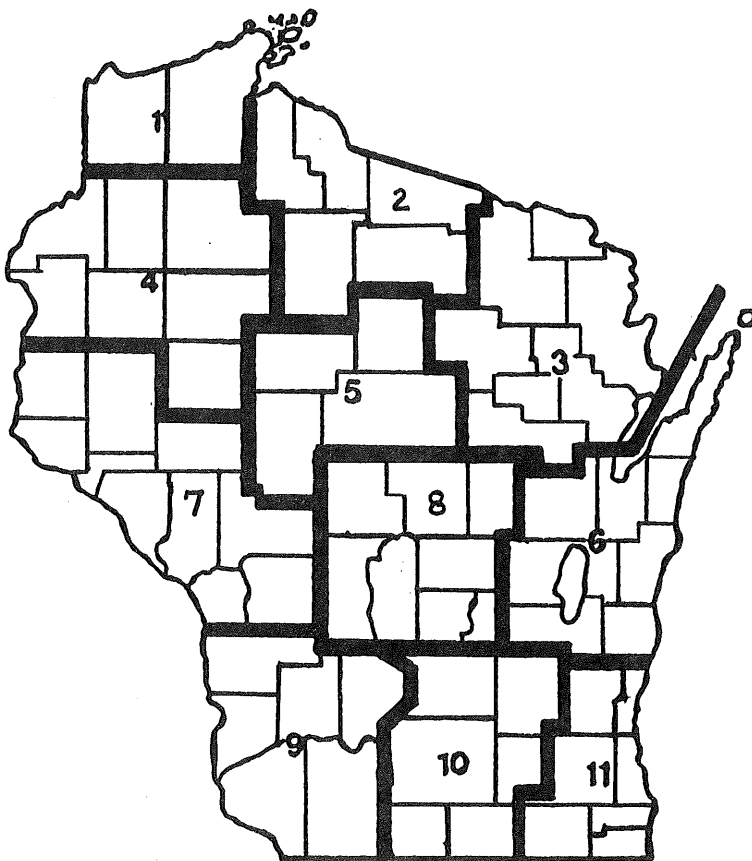
(b) Installing insulation at the exterior of the foundation, if accessible;
and

(c) Installing insulation at the interior of the foundation, if accessible.

(4) **PROCEDURES FOR CALCULATING PAYBACK.** The calculation of the envelope energy savings and the determination of the economic feasibility for each minimum energy efficiency standard shall be computed as follows:

FIGURE 67.06
DEGREE DAYS PER YEAR

Wisconsin Division of State Energy Degree Day Zones



Zone 1 - 9, 169

Zone 2 - 9, 114

Zone 3 - 8, 460

Zone 4 - 8, 721

Zone 5 - 8, 487

Zone 6 - 8, 098

Zone 7 - 8, 388

Zone 8 - 8, 201

Zone 9 - 7, 171

Zone 10 - 7, 730

Zone 11 - 7, 444

(a) *Energy savings calculations.* The following energy savings equation shall be used to calculate the heat loss of the specific energy measure:

$$ES = \frac{(U_i - U_f) \times A \times D \times 24}{K \times V}$$

where:

ES = The fuel or energy savings in the appropriate energy units for the estimated period; e.g., hundreds of cubic feet of natural gas, gallons of fuel oil, or kilowatt-hours of electricity.

U_i = U value of the existing building element, including any insulation that is already contained in the building element being evaluated, expressed in Btu/hr - ft²-F°.

U_f = U value of the existing building element, including the level of insulation required in Table 67.05 for the specific building element being evaluated, expressed in Btu/hr - ft²-F°.

A = The gross area of the building element being evaluated, in square feet.

V = The heating value of the fuel type:

Oil	138,500 Btu/Gal
Gas	100,000 Btu/CCF
Electricity	3413 Btu/Kilowatt-Hr
LP (Propane & Butane)	91,500 Btu/Gal
Coal	10,000 Btu/lb
Wood	4,000 Btu/lb or 25,000,000 Btu/cord

K. = A correction factor which includes the effects of rated full load efficiency, part load performance, oversizing and energy conservation devices. The following factors shall be used unless higher efficiencies for newer equipment can be substantiated:

LP	.55
Gas	.55
Oil	.55
Electricity	1.00
Wood	0.50
Coal	0.50

D = Number of 65° F degree days for the estimated period based on geographical zones in Figure 67.06.

(b) *Energy price.* The current retail price per unit of energy (P) shall be determined for the annual energy savings at the time the calculations are submitted.

(c) *Cost of improvement.* The actual total cost (C) of the energy savings improvement shall be determined and an itemized breakdown of the total cost for labor and materials shall be submitted to the department. Additional information may be requested from the applicant if the cost is outside the range of expected, current regional costs.

(d) *Cost payback.* The cost payback period shall be calculated using the following formula:

$$P.B. = \frac{C}{P \times ES}$$

ILHR 67

where:

- P.B. = Payback in number of years
C = Total cost of energy measure
ES = Total energy savings
P = Current retail price of energy unit

(5) **PAYBACK LESS THAN 5 YEARS.** If the payback period (P.B.) is less than or equal to 5 years, the specific energy measure shall be installed.

(6) **PAYBACK EXCEEDS 5 YEARS.** If the payback period (P.B.) is more than 5 years, the department shall issue an exemption.

(7) **DEPARTMENT DETERMINATION AND NOTIFICATION.** After the department reviews the calculations and information submitted by the owner, the department shall notify the owner of its findings in writing.

(8) **OWNER'S RESPONSIBILITY.** Upon receipt of the department's determination, the owner shall install the specific energy measure or provide a copy of the exemption letter to the certified inspector.

(9) **EXEMPTION EXPIRATION.** The exemption shall be valid for a period of 5 years from the date specified on the exemption.

History: Cr. Register, February, 1983, No. 326, eff. 3-1-83; r. and recr. Register, December, 1984, No. 348, eff. 1-1-85.

Subchapter IV Inspection and Certification of Rental Units

ILHR 67.07 Request for energy efficiency inspection. An owner of a rental unit may request an energy efficiency inspection from the department or any inspector certified by the department under ch. ILHR 68 for the purpose of determining whether the rental unit meets the energy efficiency standards specified in this chapter. If an owner, after reasonable effort, is unable to procure an inspection from an authorized municipality or an independent certified rental unit energy inspector, a request for an inspection may be made to the department.

(1) **APPLICATION FOR INSPECTION FROM THE DEPARTMENT OR MUNICIPALITY.** Where an owner requests the inspection from the department or municipality, the owner shall apply for the inspection on forms obtained from the department or municipality.

Note: A copy of the application for inspection form (SBD-7267) is contained in the appendix.

(2) **FILING OF APPLICATION.** No application for inspections will be accepted by the department or municipality that does not contain all of the information requested on the application form. The application shall be filed with the department or municipality enforcing this chapter.

(3) **FEES.** (a) *Municipal fees.* Any fee required by the municipality for administering and enforcing this chapter shall be deposited with the municipality at the time the application is filed.

(b) *Department fees.* Where the department administers and enforces this chapter, the fees required for inspection and certification shall be submitted at the time the application is filed with the department.

Register, December, 1984, No. 348

(c) *Certified inspection fees.* Where inspections are performed by a certified inspector, other than the department or municipality, the certified inspector may charge a fee to cover the cost of the inspection and issuance of the certificate as specified in ch. Ind 69, Fee Schedule.

(4) **INSPECTIONS.** All energy efficiency inspections for the purpose of certifying rental units under this chapter shall be performed by the department, municipality or inspector certified by the department.

(5) **ACTION TO INSPECT.** The municipality or department performing inspection services under this chapter shall perform inspections within 14 days after an application is filed.

History: Cr. Register, February, 1983, No. 326, eff. 3-1-83.

ILHR 67.08 Issuance of certificate, waiver or stipulation. (1) **CERTIFICATE OF COMPLIANCE.** If upon inspection, the inspector determines that the building conforms to energy conservation measures specified in this chapter, the inspector shall authorize the certificate of compliance by signing and affixing the DILHR Transfer Authorization label and then issue the certificate prescribed by the department and file a copy of the certificate with the department.

Note: A copy of the certificate form (SBD-7114) is contained in the Appendix.

(a) *Certificate forms and transfer authorization stamps.* Any certified inspector may obtain certificate forms and transfer authorization stamps from the department.

(b) *Requests for certificate form.* All requests for certificate forms shall be made in writing. The fee for the certificate forms shall accompany the request.

Department of Industry, Labor and Human Relations
Division of Safety and Buildings
Post Office Box 7969
Madison, Wisconsin 53707

(c) *Notice of noncompliance.* If upon inspection, an inspector determines that the rental unit does not conform to the energy measures specified in this chapter, the inspector shall specify in writing the energy conservation measures necessary to make the rental unit comply with the energy efficiency standards specified in this chapter and notify the owner of the findings.

1. Stipulation may be issued where the energy efficiency standards are not met as specified in sub. (3).

2. A certification may be issued after a reinspection if all the required energy measures have been installed. Any request for reinspection performed by the department shall be accompanied with a fee for reinspection.

(2) **WAIVER OF CERTIFICATE.** If a rental unit is scheduled for demolition within 2 years, the department or municipality may issue a written waiver to the energy efficiency standards specified in this chapter. A copy of the waiver shall be filed with the department and municipality. No waiver may be requested for a rental unit which has been issued a previous waiver or stipulation unless the rental unit had received a certificate

of compliance from a certified inspector on some date after the date of issuance of the latest waiver or stipulation under sub. (3).

(a) *Filing of waiver.* The waiver shall be on department forms and signed by the purchaser and filed with the department and municipality for authorization. The department or municipality shall place transfer authorization stamps on the waiver. Municipalities shall obtain transfer authorization stamps from the department. Where a waiver is issued by the municipality, a copy shall be filed with the department.

Note: A copy of the waiver of certificate form (SBD-7116) is contained in the Appendix.

(b) *Conditions of waiver.* The waiver shall be conditioned on the demolition of the rental unit within the 2 years of the date of the waiver.

(c) *Notification of demolition.* The owner shall notify the department in writing the date that the building was demolished.

(d) *Failure to demolish.* If demolition does not occur within 2 years of issuance of the waiver, the department or the municipality may do one or more of the following:

1. Order demolition of the rental unit no sooner than 90 days after the order;
2. Withdraw any certificate of occupancy; or
3. Order the owner to bring the rental unit in compliance with the energy measures specified in this chapter.

(d) *Department orders.* 1. Order for demolition. Where the department orders the building to be demolished, the owner shall notify the department in writing the date the building was demolished.

2. Order for compliance. Where the department orders the building to comply with the energy measures in this chapter, the owner shall notify the department that the energy measures have been installed and apply for an inspection of the rental unit as specified in s. ILHR 67.07.

(3) *STIPULATION.* (a) *Stipulation requirements.* If the rental unit does not meet the provisions of this chapter, the transferor of a rental unit may present a stipulation signed by the transferee and by the department or municipality in which the rental unit is located stating the new owner of the rental unit shall bring the rental unit into compliance with the energy measures specified in this chapter and receive a certificate of compliance from a certified inspector, no later than one year after the date of the transfer. No stipulation may be requested for a rental unit which has been issued a previous stipulation or waiver unless the rental unit had received a certificate of compliance from a certified inspector on some date after the date of issuance of the latest stipulation or waiver under sub. (2).

(b) *Filing stipulation.* The stipulation shall be on department forms and be filed with the department. Where a stipulation is made by the municipality, a copy shall be filed with the department. Only the department or municipality may place transfer authorization stamps on the stipulation. Municipalities shall obtain transfer authorization stamps from the department.

Note: A copy of the stipulation form (SBD-7115) is contained in the Appendix.

(c) *Stipulation inspection.* Once the new owner has installed the necessary energy conservation measures, the owner shall apply for inspection from a certified inspector, authorizing municipality or the department.

1. If upon inspections, it is determined that the rental unit conforms to the conditions specified in the stipulation, the inspector will issue a certificate indicating the rental unit conforms to the energy measures specified in this chapter.

2. If upon inspection, it is determined that the rental unit does not conform to the conditions specified in the stipulation, the inspector shall notify the owner in writing, specifying the measures necessary for compliance. A certification may be issued after reinspection if all the required energy measures have been installed.

3. The department shall conduct a clerical follow-up no later than 180 days after the stipulated compliance date to determine if a certificate has been issued for the rental unit. If no certificate is on file, the department shall order the owner with a specified time to comply with the energy measures and take the necessary action to secure compliance.

(d) *Filing of certification, waiver and stipulation.* A copy of the certificate, waiver or stipulation shall be filed with the department.

History: Cr. Register, February, 1983, No. 326, eff. 3-1-83; am. (1) (intro.) and (a), (2) (intro.), renum. (2) (a) to (d) to be (2) (b) to (e), cr. (2) (a) and (3) (c), r. (3) (b), renum. (3) (intro.) and (a) to be (3) (a) and (b) and am., Register, December, 1984, No. 348, eff. 1-1-85.

ILHR 67.09 Proof of certification. The certificate shall be proof that the rental unit complies with the energy measures specified in this chapter. The certificate shall be valid for a period of 5 years from the date specified on the certificate. The certified inspector shall retain a copy of the inspection report and certification for at least 5 years. The certificate shall include the results of the inspection of the rental unit.

History: Cr. Register, February, 1983, No. 326, eff. 3-1-83.

ILHR 67.10 Recordation. Pursuant to s. 101.122 (6), Stats., a register of deeds may not accept for recording, any deed or other document of transfer of real estate which includes a rental unit unless the deed or document is accompanied by the certificate, a waiver, or a stipulation. The register of deeds shall record the certificate, waiver or stipulation.

History: Cr. Register, February, 1983, No. 326, eff. 3-1-83; am. December, 1984, No. 348, eff. 1-1-85.

ILHR 67.11 Revocation of certificate. The department or municipality may revoke any certificate where it appears the certificate was obtained through fraud or deceit or where the owner has willfully refused to comply with a stipulation issued under this chapter.

History: Cr. Register, February, 1983, No. 326, eff. 3-1-83.

Subchapter V Appeals and Penalties

ILHR 67.12 Appeals. (1) **APPEAL OF A DETERMINATION BY A CERTIFIED RENTAL UNIT ENERGY INSPECTOR.** Appeal of any determination made by a certified rental unit energy inspector or municipality shall be made in writing to the department. All appeals shall be filed with the department

Register, December, 1984, No. 348

ILHR 67

within 30 days after the date of the determination. The department will render a written decision on all appeals.

(2) **APPEAL OF RULES, ORDERS AND DETERMINATION BY THE DEPARTMENT.** Appeals of any rule, determination, or special order issued by the department, shall be made to the department pursuant to the procedures specified under s. 101.02 (6) (e) to (i) and (8), Stats.

History: Cr. Register, February, 1983, No. 326, eff. 3-1-83.

ILHR 67.13 Penalties. Penalties in this section are established pursuant to s. 101.122 (7), Stats.

(1) **INSPECTORS.** Any inspector falsifying a certificate shall have his or her certification revoked by the department and may be required to forfeit not more than \$500 per dwelling unit in the rental unit for which the certificate is issued.

(2) **OWNERS.** Pursuant to s. 101.122 (7) (b), Stats., any person who offers documents evidencing transfer of ownership for recordation and who, with intent to evade the requirements of these rules, falsely states under s. 706.05 (12), Stats., that the real property involved does not include a rental unit, may be required to forfeit not more than \$500 per dwelling unit in the rental unit being transferred.

(3) **WAIVER.** Pursuant to s. 101.122 (7) (c), Stats., any person who fails to comply with the requirements of a waiver issued under this chapter may be required to forfeit not more than \$500 per dwelling unit in the rental unit for which the waiver is issued.

(4) **STIPULATION.** Pursuant to s. 101.122 (7) (d), Stats., any person who fails to comply with a stipulation issued in accordance with this chapter may be required to forfeit not more than \$500 per dwelling unit for the rental unit for which the stipulation was issued.

History: Cr. Register, February, 1983, No. 326, eff. 3-1-83.

APPENDIX

The material contained in this Appendix is for informational purposes only and is numbered to correspond with the number of the rule as it appears in the code.

A67.06 (1) - Application for cost payback exemptions. Form SBD-7303.

A67.07 (1) - Application for inspection. Form SBD-7267.

A67.08 (1) - Certificate of compliance. Form SBD-7114.

A67.08 (2) - Waiver of certificate. Form SBD-7116.

A67.08 (3) - Stipulation. Form SBD-7115.



DEPARTMENT OF INDUSTRY LABOR & HUMAN RELATIONS
APPLICATION FOR EXEMPTION
OF
RENTAL UNIT ENERGY EFFICIENCY STANDARDS

Safety & Buildings Div.
P.O. Box 7969
Madison, WI 53707
608-266-3151

DILHR USE (WE)

NAMES OF ALL OWNERS			PREPARER OTHER THAN OWNER		
OWNER'S ADDRESS			PREPARER'S ADDRESS		
CITY	STATE	ZIP	CITY	STATE	ZIP
OWNER'S TELEPHONE NO. ()			TELEPHONE NO. ()		

The Rental Unit Energy Efficiency Standards, effective January 1, 1985, require that rental units must conform with energy efficiency standards before ownership of the property can be transferred. Specific types of rental dwelling units not affected by the law are detailed in Ch. ILHR 67. Each conservation measure given in the rules has been chosen on the basis of a 3 year payback. This means that the value of the energy saved within 3 years due to the measure, will offset the installed cost of the measure. If an owner can document that a specific conservation measure on his/her building will take more than 3 years to pay back, DILHR will issue an exemption of the rules for that measure.

Applications for exemptions must be made on this form. ONLY ONE EXEMPTION MAY BE REQUESTED ON EACH FORM. The worksheet within this application estimates the energy saved from the envelope measures required by Chap. 67.05. Other non-envelope cost payback calculations may be approved by the Department. The final acceptance of cost payback shall be made by the Department.

TO APPLY FOR AN EXEMPTION Each request for an exemption must include:

1. A Completed Application (pages 1 and 4)
2. 5 YR. Payback Calculations (Worksheet on pages 2 & 3 or other documented method)
3. Drawings and Pictures depicting the conditions.
4. Documentation of Unit Fuel Cost (Fuel billing less than 6 months old)
5. Cost Estimate of the Conservation Measure (signed by contractor)
6. \$10 Application Fee.
7. Send to DILHR, Rental Unit Energy Efficiency Exemptions, P. O. Box 7969, Madison, WI 53707.

The Department will determine eligibility for an exemption in accordance with ILHR 67.06 of the Wisconsin Administrative Code. Upon determination of eligibility, the office will issue a letter of exemption which must be presented to the inspector performing the compliance inspection.

A) This exemption is being applied for: (Please check only one of the following)

____ Ceiling, ____ Foundation* ____ Floor*, ____ Box Sill, ____ Walls, ____ Other
(1) (2) (3) (4) (5) (6)

B) The primary heating fuel is:

____ LP Gas, ____ Natural Gas, ____ Oil, ____ Electricity, ____ Wood, ____ Other
(1) (2) (3) (4) (5) (6)

C) Type of existing insulation: (this refers to insulation which may already be present in the concerned element)

____ no insulation, ____ Fiberglass, ____ Plastic Foam, ____ Cellulose, ____ Other
(1) (2) (3) (4) (5)

D) Thickness of insulation (in inches) existing in the element to be exempt. = _____ inches

E) Enter the "R" value (thermal resistance) of the existing insulation (Table 4 on the back page of the form may be of assistance in determining the resistance):

Initial R = _____

F) Description (drawings and photo must also be included):

* An exemption granted for one foundation option (Foundation Interior or Foundation Exterior or Floor) does not exempt the other accessible options.

DILHR SBD-7303 (N.08/84)

page 1

INDUSTRY LABOR AND HUMAN RELATIONS

ILHR 67

27

The following portion of the application is used to calculate savings for envelope energy conservation measures required by Chapter ILHR 67. The worksheet uses estimating methods specified by Ch. 67. Details of the method are given on the bottom of page 67.

- 1) Refer to Fig. 1. Enter the Zone number for the rental unit 1a) Enter the Degree Days = 1b)
- 2) Enter the coefficient found in TABLE 1 referring to your type of fuel. Coefficient = 2)
- 3) Multiply line 1, the number of DD, times the coefficient, line 2. (1b) X (2) = 3)

4) & 5) CALCULATION OF (ΔU X Area) (complete only one section) ΔU means "CHANGE IN U"																					
CEILING	The ceiling of your rental unit may be comprised of several different types of construction. It may have one or more of the following types of construction: flat roof, sloped roof, or roof with attic space. Transfer the appropriate ΔU -value from Table 2 to line 4a. Only fill out the construction types which are applicable to your rental unit.																				
	<table border="0"> <tr> <td></td> <td>ROOF/ATTIC</td> <td>SLOPED ROOF*</td> <td>FLAT ROOF*</td> </tr> <tr> <td>4a) Refer to Table 2 and enter the change in U (ΔU) due to insulation</td> <td>4a) </td> <td> </td> <td> </td> </tr> <tr> <td>4b) Carefully measure the ceiling area of each type of construction in your rental unit and enter here</td> <td>4b) </td> <td> </td> <td> </td> </tr> <tr> <td>4c) Multiply line 4a) by line 4b)</td> <td>4c) </td> <td> </td> <td> </td> </tr> <tr> <td>4d) Add all the products of line 4c and enter the resulting (ΔUXA) value here</td> <td colspan="3">4d) </td> </tr> </table>		ROOF/ATTIC	SLOPED ROOF*	FLAT ROOF*	4a) Refer to Table 2 and enter the change in U (ΔU) due to insulation	4a)			4b) Carefully measure the ceiling area of each type of construction in your rental unit and enter here	4b)			4c) Multiply line 4a) by line 4b)	4c)			4d) Add all the products of line 4c and enter the resulting (ΔU XA) value here	4d)		
		ROOF/ATTIC	SLOPED ROOF*	FLAT ROOF*																	
	4a) Refer to Table 2 and enter the change in U (ΔU) due to insulation	4a)																			
	4b) Carefully measure the ceiling area of each type of construction in your rental unit and enter here	4b)																			
4c) Multiply line 4a) by line 4b)	4c)																				
4d) Add all the products of line 4c and enter the resulting (ΔU XA) value here	4d)																				
5a) Go to line 6	5a)																				
BOX SILLS, WALLS & FLOORS	Values of ΔU are given in Table 2 for walls*, box sills and floors. Select the appropriate ΔU value and enter it below.																				
	4a) Insulating option being chosen; check one: ☐ Walls*(1) ☐ Box Sills*(2) ☐ Floors*(3)																				
	4b) Enter the value for ΔU	4b) ΔU																			
	4c) Enter the area to be retrofitted	4c) Area																			
	4d) Multiply line 4b) by line 4c)	4d) ΔU A																			
FOUNDATIONS	4a) Basement or Crawl Space insulating option being considered by owner (check one): ☐ Foundation Exterior(1) ☐ Foundation Interior(2)																				
	4b) Height of Foundation Wall Above Ground Level	4b) ft. (round off to nearest foot)																			
	4c) Inside height of Foundation Wall	4c)																			
	4d) Perimeter Length around Basement	4d)																			
	4e) Gross Area of Foundation: 4c) X 4d) =	4e) A =																			
	To determine the "Change in U", refer to Table 3 "CHANGE IN U, BASEMENTS & CRAWLSPACES". Select Table 3A for basements and Table 3B for crawlspaces. Draw a line under row 1 or row 11 in the table depending on whether you are considering an option for inside or for outside insulation. Read across the row to the column that shows your above grade height of the foundation wall, and circle your selection for the "Change in U".																				
	4f) Change in U from Table 3A or 3B	4f) ΔU =																			
	5a) Line 4e) X line 4f)	5a) ΔU X A =																			
	5b) Go to line 6																				
	Note: Floor and basement U value tables have been based upon simplifications specified in Chapter ILHR 67. A more complete series/parallel analysis will also be accepted by the department.																				

* Sloped flat roofs and walls require insulation only if accessible.

- 6) Enter the ΔU product here
 - 7) Enter the results of line 3
 - 8) Multiply line (6) X line (7) to obtain annual savings (Savings is given in fuel units above in Table 1)
 - 9) To obtain the estimated dollar savings, multiply line 8 times your fuel cost (per unit).
- 6) ΔU A =
- 7) line 3 =
- 8) 1 year savings Units
- 9) Annual Dollar Savings = \$
- Fuel cost/unit X = Annual Dollar Savings

TABLE 1

FUEL	COEFFICIENT FOR LINE 2	UNITS OF SAVINGS IN LINE 4
Oil	.0004054	\$/Gal.
Propane	.0004078	\$/Gal.
Natural Gas	.0003709	\$/CCF
Electricity	.005977	\$/KWH
Wood	1.67410 ⁻⁷	\$/Cord

These coefficients account for heating value of the fuel, the annual furnace efficiency, and the heating effect versus the degree day method.

TABLE 2 CHANGE IN U FOR CEILINGS, BOX SILLS & WALLS

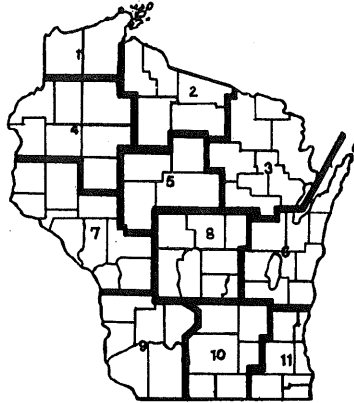
Construction Type (1)	Initial R Value (2)	Final R Value (3)	ΔU Change in U
CEILING			
Unfloored Attic	0	38	.242
Vaulted Attic	10	38	.055
Unfloored Attic	11	30	.049
Floored Attic	0	19	.157
Floored Attic	3.5	19	.068
Flat Roofs	0	19	.114
Sloped Roof	0	11	.201
Sloped Roof	0	19	.230
BOX SILL			
	0	19	.180
	3.5	19	.083
	11	19	.023
WALL (open cavity)			
	0	11	.423
	3.5	11	.100
FLOOR			
	0	19	.194
	3.5	19	.083
	11	19	.021

Choose the change in U value (ΔU) based on:
1) the type of construction
2) the R value of the insulation presently in the cavity
3) the final R value as required by ILHR 67.05.

*Note: R values shown in this table represent the thermal resistance of the construction excluding the inherent resistance of the construction itself.

FIGURE 1
DEGREE DAYS

Wisconsin Division of State Energy Degree Day Zones



Zone 1 - 9,169
Zone 2 - 9,114
Zone 3 - 8,460
Zone 4 - 8,721
Zone 5 - 8,487
Zone 6 - 8,098
Zone 7 - 8,388
Zone 8 - 8,201
Zone 9 - 7,171
Zone 10 - 7,780
Zone 11 - 7,444

INDICATE YOUR ZONE WITH X.

TABLE 3 CHANGE IN U, BASEMENT & CRAWLSPACE WALLS

3A) BASEMENT WALLS

	Height Above Ground Level					
	0ft	1ft	2ft	3ft	4ft	5ft
Change in U INSIDE INSULATION	.083	.120	.156	.189	.222	.255
Change in U OUTSIDE INSULATION	.048	.087	.126	.165	.204	.244

3B) CRAWLSPACE WALLS

	Height Above Ground Level			
	1ft	2ft	3ft	4ft
Change in U INSIDE INSULATION	.273	.213	.213	.213
Change in U OUTSIDE INSULATION	.603	.438	.383	.336

Note: U Values have been calculated in terms of inside area of the foundation.

INDUSTRY LABOR AND HUMAN RELATIONS

ILHR 67

29

- 10) ANNUAL DOLLAR SAVINGS Enter from line (9) or from an alternate analysis (must be attached) 10) Annual Savings =
- 11) Determine the 5 year savings (assume no inflation) 11) (Line 10) x 5 = 5 year savings =
- 12) Cost of the retrofit (must be documented with an estimate signed by the issuing contractor): 12) Cost of Retrofit
- 13) Is the 5 year savings greater than the cost of the retrofit? ☐ yes it pays back within 5 years.
☐ no, it does not pay back within 5 years.
- 14) If the energy conservation measure will not pay for itself in energy savings within 5 years, submit this worksheet and application to DILHR to receive an exemption number. Check your calculations and be sure to include the documentation of your fuel cost and insulation cost estimate. A processing fee of \$10 must accompany the application for exemptions. Submittals must include:
1. A Completed Application, signed (pages 1 and 4)
 2. 3 Yr. Payback Calculations (Worksheet on pages 2 & 3 or other documented method)
 3. Drawings and Pictures depicting the conditions.
 4. Documentation of Unit Fuel Cost (Fuel billing less than 6 months old)
 5. Cost Estimate of the Conservation Measure (signed by contractor)
 6. \$10 Application Fee.
 7. Send to DILHR, Natural Unit Energy Efficiency Exemptions, P. O. Box 7969, Madison, WI 53707.

Owner's signature _____

Date _____

Preparer's signature _____

Date _____

All questions and comments concerning this application should be directed to the Weatherization Program, DILHR, P.O.Box 7969, Madison, WI 53707. Derivations for all "change of U" values are available upon request for \$2.00.

TABLE 4 TYPICAL INSULATION VALUES OF MATERIALS

MATERIAL	THICKNESS	R-VALUE	
Blown fiberglass or mineral wool	1 in.	3.00	The R value is for the specified thickness. If the thickness is different, you may take a direct proportion. (i.e. if cellulose insulation is 3 inches thick, the R value would be 3 x 3.70 = 11.1)
Blanket or batts (fiberglass or mineral wool)	3 1/2"	3.00	
Blanket or batts (fiberglass or mineral wool)	6"	19.00	
Cellulose (paper pulp)	1"	3.70	
Polystyrene (molded beads) foam	1"	3.57	
Polystyrene (extruded smooth skin) foam	1"	5.00	
Urethane (aged) foam	1"	6.25	
Urethane (aged) foam	1"	6.25	
Vermiculite	1"	2.27	

Table reprinted from How to Figure Heat Loss & Fuel Cost by D.J. Smith, T.J. Reavis and L.A. Brucke.

U" is a designation for thermal transmittance and stands for an overall coefficient of heat transfer. U compares to thermal resistance (R) by the inverse relationship: $U=1/R$, $R=1/U$ or the transmittance is equal to the inverse of the resistance. The resistance of any one element is the sum of all the resistances in the path of the heat flow.

Energy savings is proportionate to the change in the "U" (ΔU) multiplied by the area of the building element being considered. Following are three ways of determining the product $\Delta U \times A$ where that are specific to particular building elements. There is a section for determining the ΔU for Gables, a section for determining the ΔU for Walls, Box Bills and Floors, and a section for determining the ΔU for Foundations. Select the section that is appropriate for the element you are performing the analysis on.

The energy savings calculation used in the enclosed worksheet conforms to the method described in Chapter ILHR 67. The following equation is a summary of the calculation. References are made below the equation to the parts of this form which corresponds to the equation.

$$ES = \left(\frac{\text{Degree Days}}{\text{(FIGURE 1)}} \right) \times \left(\frac{24 \times G}{R \times V} \right) \times \left(\frac{\Delta U \times A}{\text{(TABLE 1) (LINE 6)}} \right)$$

ES = Annual Energy Savings (in units of fuel)
 G = Heating Efficiency Factor
 V = Heating Value of Fuel (per unit)
 ALL FACTORS ARE SPECIFIED BY ILHR 67.06.

SBD 7303 (2092P)

page 4

**Rental Unit Energy
Efficiency Standards**

-APPLICATION FOR INSPECTION-

Owner's Name		Number of Dwelling Units ☐ 1, ☐ 2-4, ☐ 5 or more		Manager or Agency	
		Has a Stipulation ever been issued for blight? ☐ Yes ☐ No		If yes: S-	
Street & No.		Building Location, Street & No.		City State & Zip	
City	State & Zip	☐ City ☐ Village ☐ Town		Telephone Number	
Telephone Number		Name: County		Person to contact for inspection ☐ Owner ☐ Manager	

This form is used to determine if your rental unit is subject to the requirements of ILHR 67, and to request an inspection to check for compliance with the standards. The questions below allow you to determine whether your rental unit must comply with the Energy Conservation Regulations, and if you need to receive a Certificate from a rental unit inspector certified by the Department of Industry, Labor and Human Relations.

After completing the questionnaire below, if you have determined that your rental unit is excluded and will not require a "Certificate" and "Transfer Authorization," you may still wish to retain this questionnaire in case your Register of Deeds requires proof of the exclusion.

To request an inspection, send this completed form to the inspector you have chosen. Be sure that this request form is completely filled out.

REFERENCE ILHR 67.03

YES NO

- ☐ ☐ Is the dwelling unit only rented between April 1 and October 31?
- ☐ ☐ Does the building have four rental units or less, one of which is owner occupied?
- ☐ ☐ The building has not more than two dwelling units, was constructed after December 1, 1978, and is less than 10 years old.
- ☐ ☐ The building has more than two dwelling units, was constructed after April 15, 1976, and is less than 10 years old.
- ☐ ☐ Is the building a mobile home?
- ☐ ☐ Is the building a motel or hotel used primarily for transient residency?
- ☐ ☐ Is the building a hospital or nursing home?
- ☐ ☐ Is the building a condominium complex declared under Chapter 703, Stats. before January 1, 1985?

If any of the above questions were answered "yes" the building is excluded from the requirements of Chapter ILHR 67 and application for certification is not necessary.

I have completed the questionnaire above and have determined that the rental unit described herein will require certification by a Rental Unit Energy Efficiency Inspector before ownership can be transferred. Please schedule an appointment for inspection.

Owner(s) Signature (conditions of inspection and fee schedule are attached)	Date
Request for inspection must include the following information: Legal Description of Property (see deed or survey).	

*Current listings of certified inspectors (statewide) are available from: Department of Industry, Labor and Human Relations, Safety and Buildings Division, Post Office Box 7869, Madison, Wisconsin 53707. For inspection information, call 800-256-3151.

DILHR SBD-7267 (R. 8/84)

Doc. No. _____

**Rental Unit Energy
Efficiency Standards**

Wisconsin Department of Industry
Labor and Human Relations
Division of Safety & Buildings
P.O. Box 7969
Madison, WI 53707
(608) 266-3151

Certificate of Compliance

Name of all Owners		Number of Dwelling Units		Recording Information (leave blank)	
		Building Location, Street & No.			
Street & No.		City			
City		State & Zip			
Owner's Telephone Number		Manager or Agency			
		Manager's Address			
Has this unit ever been issued a Stipulation? ☐ Yes ☐ No		Stipulation No. S - _____		Manager's Telephone Number	
Legal description of property: _____					

Certificate Instructions

This certificate is to be completed and signed by an inspector currently licensed by the Department of Industry, Labor and Human Relations for Rental Unit Energy Efficiency inspection. The original copy must be retained by the owner of the rental unit for use at time of transfer of ownership.

CERTIFICATE CHECKLIST			FAIL			PASS	EXEMPTION NUMBER*	N
			1	2	3			A
Ceiling	R =	Must add R =						
Box Sill	R =	Must add R =						
Side Wall	R =	Must add R =						
Floor	R =	Must add R =						
Duct	R =	Must add R =						
Steam Pipe	R =	Must add R =						
Heat Pipe	R =	Must add R =						
Attic Door	R =	Must add R =						
Foundation	R =	Must add R =						
Windows								
Weatherstripping								
Caulking								
Storm Doors								
Attic & Crawl Space Ventilation								
Shower Flow Restrictor								
Air Conditioner Cover								
Water Heater Insulation								
Space & Water Heater Inspection								

*DILHR Exemption Number indicates department acceptance.

INSPECTION DATES	
1	
2	
3	
4	

Section 101.122, Wisconsin Statutes, requires that an Energy Efficiency Certificate, Stipulation or Waiver authorized by the Department of Industry, Labor and Human Relations (DILHR) must accompany the documents of transfer at the time of document recordation. This process is defined in Chapter ILHR 67, Wisconsin Administrative Code. A Certificate is proof of compliance with the standards of ILHR 67.05. In lieu of the Certificate, the purchaser may accept responsibility for compliance with either a Stipulation or a Waiver in accordance with ILHR 67.08.

CERTIFICATE OF COMPLIANCE			
The rental unit described above is certified as meeting the minimum rental unit energy efficiency standards of ILHR 67. Each applicable item on the checklist complies with ILHR 67.05 or has been issued an exemption number.			
Inspector Signature	Date Certified	Certified Inspector Number	Place DILHR Transfer Authorization Number Stamp Here
This Certificate is valid for 5 years from the date of the inspector's signature above and is transferrable during that period.		DILHR Transfer Authorization Number: C - _____	

DILHR SBD-7114 (N. 4/84)

Copy Distribution: White-Owner; Yellow-DILHR; Green-Municipality/Inspector; Pink-Other

**Rental Unit Energy
Efficiency Standards**

Wisconsin Department of Industry
Labor and Human Relations
Division of Safety & Buildings
P.O. Box 7969
Madison, WI 53707
(608) 266-3151

Waiver

Name of all Owners	Number of Dwelling Units	Recording Information (Leave Blank)
	Building Location, Street & No.	
Street & No.	City	County
City	State & Zip	Manager or Agency
Owner's Telephone Number	Manager's Address	
Legal Description of Rental Unit Property:	Manager's Telephone Number	

Section 101.122, Wisconsin Statutes, requires that an Energy Efficiency Certificate, Stipulation or Waiver authorized by the Department of Industry, Labor and Human Relations (DILHR) must accompany the documents of transfer for rental unit ownership changes. This process is defined in Chapter ILHR 67, Wisconsin Administrative Code. Receipt of a Certificate indicates conformance with ILHR 67.05. In lieu of the Certificate, the purchaser may accept responsibility for program compliance with either a Stipulation under ILHR 67.08(3), or a Waiver of Certificate under ILHR 67.08(2).

If a rental unit is scheduled for demolition within two years, the department or an authorized municipality may authorize a Waiver to the Energy Efficiency Standards of ILHR 67.

The seller of the rental unit interested in receiving a Waiver must complete the Name, Address and Legal Description blocks above and have the purchaser sign the signature-address block below right. The Waiver must then be submitted to the Department of Industry, Labor and Human Relations or your municipality if they are authorized. Your municipality can tell you if they are authorized to validate a Rental Unit Energy Efficiency Waiver and of the fees involved. If your municipality is not authorized, the Waiver and a fee of \$20.00 can be submitted for validation to the Department of Industry, Labor and Human Relations, Rental Unit Energy Efficiency Program, P.O. Box 7969, Madison, WI 53707. For administrative reasons, the fee must accompany the application for Waiver. Upon validation by the Department of Industry, Labor and Human Relations, the Waiver will be returned to the seller. The validated Waiver must be presented to the Register of Deeds accompanying the documents of transfer to be recorded.

This document is valid only if no previous Waiver is currently on file for this property.

WAIVER AGREEMENT

In lieu of meeting the Rental Unit Energy Efficiency Certificate requirements, I (we) agree to notify the Department of Industry, Labor and Human Relations (DILHR) of the above described rental unit's demolition. Demolition shall occur within two years of the effective date of transfer. Upon demolition I (we) shall notify the agency authorizing this Waiver of the date the building was demolished. This action is required in specific accordance with ILHR 67.08(2), ILHR 67.13(3) and Wisconsin statutes 101.122.

*The date of transfer is interpreted as the date this Waiver is signed by the agency official (below). Proof to establish any other date (i.e. copy of transfer return or documentation showing that the property transfer has not yet taken place) must be submitted to DILHR, Safety and Buildings Division. This proof must be received within nine (9) months after the Waiver has been validated by the authorized agency or DILHR.

Purchaser's Signature(s)		Date
		Date
Purchaser's Street & No.		
City		
State & Zip		
Signature of Agency Official	Date	Expiration Date
Authorizing Agency	DILHR Transfer Authorization	
	Number W - - - - -	
	Place DILHR Transfer Authorization Number Stamp Here	

DILHR SBD-7116 (N. 4/84)

Copy Distribution: White-Owner, Yellow-DILHR, Green-Municipality/Inspector, Pink-Other

Doc. No. _____

**Rental Unit Energy
Efficiency Standards**

Wisconsin Department of Industry
Labor and Human Relations
Division of Safety & Buildings
P.O. Box 7969
Madison, WI 53707
(608) 266-3151

Stipulation

Name of all Owners	Number of Dwelling Units	Recording Information (Leave Blank)
	Building Location, Street & No.	
Street & No.	City	County
City	State & Zip	Manager or Agency
Owner's Telephone Number	Manager's Address	
Legal Description of Rental Unit Property	Manager's Telephone Number	

Section 101.122, Wisconsin Statutes, requires that an Energy Efficiency Certificate, Stipulation or Waiver authorized by the Department of Industry, Labor and Human Relations (DILHR) must accompany the documents of transfer for rental unit ownership changes. This process is defined in Chapter ILHR 67, Wisconsin Administrative Code. Receipt of a Certificate indicates conformance with ILHR 67.05. In lieu of the Certificate, the purchaser may accept responsibility for program compliance with either a Stipulation under ILHR 67.08(3), or a Waiver of Certificate under ILHR 67.08(2).

Stipulation:

The seller of a rental unit may present this Stipulation signed by the purchaser and authorized by the department or participating municipality in which the rental unit is located stating the new owner of the rental unit shall bring the rental unit into compliance with energy measures specified in Chapter ILHR 67 no later than one year after the date of the transfer.

Instructions:

The seller of the rental unit interested in receiving a Stipulation must: complete the Name, Address and Legal Description blocks above and have the purchaser sign the signature-address block below right. The Stipulation must then be submitted to the Department of Industry, Labor and Human Relations or an authorized municipality to receive validation. Your municipality can tell you if they are authorized to validate rental unit energy efficiency stipulations and what fees are involved. If your municipality is not authorized, the Stipulation and a fee of \$50.00 should be sent to the Department of Industry, Labor and Human Relations, Rental Unit Energy Efficiency Program, P.O. Box 7969, Madison, WI 53707. For administrative reasons, the fee must accompany this Stipulation application. Upon validation by the Department of Industry, Labor and Human Relations, this Stipulation will be returned to the seller to be submitted to the Register of Deeds at the time of property transfer.

This document is valid only if no previous Stipulation or Waiver is currently on file for this property.

STIPULATION AGREEMENT			
I (we) accept all responsibility to bring the above described rental unit into compliance with Chapter ILHR 67 no later than one (1) year from the date of transfer. This required action is in specific accordance with ILHR 67.09(3), ILHR 67.13(4) and Wisconsin statutes 101.122.			
*The date of transfer is interpreted as the date this Stipulation is signed by the agency official (below). Proof to establish any other date (i.e. copy of transfer return or documentation showing that the property transfer has not yet taken place) must be submitted to DILHR, Safety and Buildings Division. This proof must be received within nine (9) months after the Stipulation has been validated by the authorized agency or DILHR.		Purchasers' Signature(s)	Date
		Purchaser's Street & No.	
		City	State & Zip
Signature of Agency Official	Date	Expiration Date	Place DILHR Transfer Authorization Number Stamp Here
Authorizing Agency	DILHR Transfer Authorization Number: S - _ _ _ _ _		

DILHR SBD-7115 (N. 4/84)

Copy Distribution: White-Owner; Yellow-DILHR; Green-Municipality/Inspector; Pink-Other