

Services to EmPower-Eligible Rental Properties Frequently Asked Questions

Program guidelines for [Rental Properties](#) can be found on the [Contractor Support website](#) in the [Contractor Resource Manual](#), Section 7 – Low Income (EmPower New York) Operational Procedures.

The [Rental Property Energy Efficiency Services Agreement](#) can be found in the Contractor Resource Manual, Section 3 – Customer Participation. This agreement should be utilized for both EmPower and Assisted Home Performance projects.

The following are frequently asked questions (FAQs) program receives from contractors serving rental properties through EmPower New York (EmPower). If you have additional questions or special circumstances that are not covered in the Contractor Resource Manual or this FAQ document, please contact contractor support at support.residential@nysesda.ny.gov or by calling 800-284-9069. Project specific questions can also be directed to your Account Manager.

Can additional work be done on a unit that has received prior services?

Yes, the unit may receive additional services up to the current funding cap. Program will look back three years and the project may be eligible for additional measures up to the remaining amount of available incentive.

Do all tenants in the building need to be income-eligible?

No, if 50% or more of the tenants are income-eligible the entire building may be served through EmPower.

If only one unit is income-eligible, only that unit can be served through EmPower and the work scope is capped at \$5,000.

What if the Landlord resides in one of the units and isn't income-eligible?

If the building is owner-occupied and the landlord is not income-eligible, the landlord may be eligible for assistance, including incentives toward heating systems and water heaters, through the Assisted Home Performance with ENERGY STAR program for the unit they occupy and central building systems.

If each unit is considered a separate project and costs exceeded \$5,000 on each unit would a landlord contribution be required for each project?

The program will seek to accommodate insulation/shell work, but on a case-by-case basis where costs are extreme, we reserve the right to request a landlord contribution. In instances where multiple units are being served, the Program will evaluate the overall cost of services for the building. Program may require, at its discretion, a landlord investment of at least 25% of the cost of the additional measure(s).

Can vacant units be served?

Yes, if units are unoccupied, the Owner may seek authorization for the rehabilitation of unoccupied housing units with the understanding that the unit will be rented to an income-eligible household within 90 days after the date a job completion form is submitted to NYSERDA's implementation contractor by the participating contractor. The Owner may be liable for the full amount of the NYSERDA incentive if the unit is not rented to an income-eligible tenant. Please refer to the [Rental Property Energy Efficiency Services Agreement](#) for detailed requirements. Contact your Account Manager for assistance in submitting these projects.

How can a project move forward if repairs are necessary for the safe operation of the heating system or hot water heater?

Approval for comprehensive project measures (other than ER/Direct Install measures) will be placed on hold until the repairs have been completed. A written statement (i.e., email, NYSERDA Portal Salesforce case, HP Portal note) from the contractor stating that the repairs are complete, and the system is safe to operate is required before work can proceed.

If a heating system serving an EmPower eligible tenant fails, the owner is EmPower income-eligible, and the project has been denied services through the Heating Equipment Repair and Replacement (HERR) Program, NYSERDA will consider funding up to 75% of the replacement heating system and associated costs through EmPower. NYSERDA will require a landlord investment of at least 25% towards the cost of the heating system and associated costs. Owners/Landlords that are not eligible for EmPower may be eligible for incentives through Assisted Home Performance with ENERGY STAR.

Since tenants are not eligible for HERR, does the language referring to being denied benefits refer to the landlord?

Yes, that is correct. Tenants are not eligible to participate in the HERR program. If the landlord is income-eligible and occupies the building, they may apply for assistance. Landlords that do not occupy the building would be ineligible for HERR.

Heating Replacements are considered if the system has failed and the landlord is denied for HERR. All heating replacements require a 25% landlord contribution.

How should projects be submitted for 2-4 family rental units in which the thermal/air boundaries overlap? For example, 1 apartment on 1st floor and apartments on second floor?

The goal should be to treat the entire house. When possible, all units should be assessed for eligibility (until it is determined that 50% of the tenants are eligible for EmPower) and audits conducted so a comprehensive solution can be determined for the building. Contractors should submit all projects in the same building at one time and include notes indicating the other project IDs, total number of units and their eligibility.