## RULES CERTIFICATE

DEPT. OF INDUSTRY, ) LABOR & HUMAN RELATIONS)	
TO ALL TO WIIOM THESE PRESENTS SHALL COME,	GREETINGS:
I, Howard S. Bellman	, Secretary of the Department of
Industry, Labor and Human Relations, and o	custodian of the official records
of said department, do hereby certify that	the annexed rule(s) relating to
Rental Unit Energy Efficiency Standards	were duly
(Subject) approved and adopted by this department or	November 23, 1984
I further certify that said copy has	been compared by me with the original
on file in this department and that the sa	ame is a true copy thereof, and of
the whole of such original.	
se	N TESTIMONY WHEREOF, I have hereunto et my hand and affixed the official eal of the department at 8:00 a.m.
ir	n the city of Madison, this 23d ay of November A.D. 19 84.
ua	A, B. 19_57.
	Howard Bellman
	Secretary

STATE OF WISCONSIN

# ORDER OF ADOPTION.

Pursuant to auth	ority vested in the Department of Industry, Labor and
Human Relations by se	ection(s) 101.122 & 101.19 , Stats., the Depart-
ment of Industry, Lab	oor and Human Relations hereby [X] creates; [X] amends;
X repeals and rec	reates; and repeals and adopts rules of Wisconsin Admin-
istrative Code chapte	er(s):
ILHR 67 and Ind 69 (Number)	Rental Unit Energy Efficiency (Title)
The attached rul	les shall take effect onJanuary 1, 1985
	, pursuant to section
227.026, Stats.	-
	Adopted at Madison, Wisconsin, this 23rd
	day of <u>November</u> , A.D., 19 <u>84</u> .
	DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS
	14mard 5. Bellman
	Secretary

RECEIVED

NOV 23 1984

Revisor of Statutes Bureau

# RULES in FINAL DRAFT FORM

Rule: _	ILHR 67	and IND 6	59		·		
Relating	to:	Rental	Unit	Energy	Effi	ciency Standards	
		<del></del>					
Clearing	nodr	se R	ule	No	5 #	84-139	

An order to repeal ILHR 67.04 (22) and ILHR 68.08 (3) (b); to renumber ILHR 67.04 (10), ILHR 67.04 (12) to (14), ILHR 67.04 (16) to (20) and ILHR 67.08 (2) (a) to (d); to renumber and amend ILHR 67.04 (15), 67.04 (16), and 67.04 (21); to amend ILHR 67.03 (1), ILHR 67.03 (2) (intro.), ILHR 67.03 (2) (h), ILHR 67.04 (1), ILHR 67.04 (6), ILHR 67.05 (intro.), ILHR 67.05 (2), ILHR 67.05 (3), ILHR 67.05 (4), ILHR 67.05 (5), ILHR 67.05 (7), ILHR 67.08 (1) (intro.), ILHR 67.08 (1) (a), ILHR 67.08 (2) (intro.), ILHR 67.08 (3) (intro.), ILHR 67.08 (3) (a) and ILHR 67.10; to repeal and recreate ILHR 67.01, ILHR 67.02 (intro.), ILHR 67.04 (4), ILHR 67.04 (11), Table 67.05 and ILHR 67.06; and to create ILHR 67.03 (2) (i), ILHR 67.03 (3) and (4), ILHR 67.04 (10), ILHR 67.07 (1) Note, ILHR 67.08 (2) (a), ILHR 67.08 (3) (c) and Ind 69.24, relating to rental unit energy efficiency standards.

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#### ANALYSIS OF RULES

The proposed rules contain additions and amendments to the existing rules covering Rental Unit Energy Efficiency Standards. The proposed rules contain numerous clarifications as well as changes resulting from 1983 Wisconsin Act 233. Some of the more significant revisions are as follows:

- 1. The scope and purpose are revised to include statutory authority and more information about the various aspects of the program;
- 2. The application is amended to include the exemption and waiver provisions, and to cover multiple use occupancy problems and rental units within condominiums;
- 3. The definition of "accessible" has been expanded to include finished materials, paved walks or driveways; the definition of home heating fuel is repealed and the definition of dwelling unit has been amended;
- 4. Insulation requirements are expanded to include more variations of minimum acceptable "R" values typically encountered to meet a 5-year payback, and clarified regarding specific items such as foundation insulation applications, applying pipe insulation and providing insulation at garages;
- 5. A weatherstripping standard is established to protect against infiltration, the rules covering caulking are amended to require caulking around dryer vents, the door requirements are amended, and the equipment standards are amended to require insulated jackets only on water heaters located in unfinished spaces or heaters which don't conform to ASHRAE Standards;
- 6. The cost payback exemption procedure is amended to incorporate the procedures and forms developed by the program staff since the adoption of the original rules;
- 7. The procedural rules related to applying, processing and filing the certificate, waiver and stipulation are amended to reflect the procedures being adopted by the program staff; and
- 8. Fees are established to cover the department costs for administering the rental unit energy efficiency program.

Pursuant to the authority vested in the state of Wisconsin, Department of Industry, Labor and Human Relations by sections 101.122 and 101.19, Stats., and 1983 Wisconsin Act 233, the department hereby repeals, renumbers, amends, repeals and recreates, and creates rules interpreting sections 101.122 and 101.19, Stats., as follows:

- SECTION 1. ILHR 67.01 is repealed and recreated to read:
- ILHR 67.01 PURPOSE. The purpose of this chapter is to establish rules for the department to administer and enforce s. 101.122, Stats.
- SECTION 2. ILHR 67.02 (intro.) is repealed and recreated to read:
- 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.
- SECTION 3. ILHR 67.03 (1) and (2) (title) and (intro.) are amended to read:
- 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 stating 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).
- ILHR 67.03 (2) RENTAL UNITS EXCLUDED. The following rental units are excluded from the provisions of this chapter do not apply to:
- SECTION 4. ILHR 67.03 (2) (h) is amended to read:
- ILHR 67.03 (2) (h) <u>Buildings which are Condominiums</u> declared <u>condominiums</u> under ch. 703, Stats., prior to the effective date of the rules contained in this chapter.
- SECTION 5. ILHR 67.03 (3) and (4) are created to read:
- ILHR 67.03 (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 percent 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 percent 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.
  - SECTION 6. ILHR 67.04 (1) is amended to read:

ILHR 67.04 (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.

SECTION 7. ILHR 67.04 (4) is repealed and recreated to read:

ILHR 67.04 (4) "Condominium" means a multiple dwelling unit building in which there is separate ownership of individual dwelling units created by ch. 703, Stats.

SECTION 8. ILHR 67.04 (6) is amended to read:

ILHR 67.04 (6) "Dwelling unit" means a building or that part of a building which is used as a home or residence and which is furnished with natural gas, home heating fuel or electricity.

SECTION 9. ILHR 67.04 (22) is repealed.

Note: ILHR 67.04 (22) contains the definition of "unheated spaces."

SECTION 10. ILHR 67.04 (21) (intro.) is renumbered ILHR 67.04 (22) and is amended to read:

ILHR 67.04 (22) "Transfer" means a conveyance of ownership interest, including a controlling stock interest, in a rental unit by deed, land contract or judgement; 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 include mean a conveyance under chs. 851 to 879, Stats., (probate) or mean:

SECTION 11. ILHR 67.04 (17) to (20) are renumbered ILHR 67.04 (18) to (21).

SECTION 12. ILHR 67.04 (16) is renumbered ILHR 67.04 (17) and is amended to read:

ILHR 67.04 (17) "Rental unit" means any rented dwelling unit a building or that part of a building used as a home or residence which is rented.

SECTION 13. ILHR 67.04 (15) is renumbered ILHR 67.04 (16) and is amended to read:

ILHR 67.04 (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 out of the last two years prior to immediately after the date of transfer.

SECTION 14. ILHR 67.04 (12) to (14) are renumbered ILHR 67.04 (13) to (15).

SECTION 15. ILHR 67.04 (11) is repealed and recreated to read:

ILHR 67.04 (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.

SECTION 16. ILHR 67.04 (10) is renumbered ILHR 67.04 (12).

SECTION 17. ILHR 67.04 (10) is created to read:

ILHR 67.04 (10) "Finish material" means drywall, plaster, siding or other material covering the structure, but does not include floors in unfinished spaces.

SECTION 18. ILHR 67.05 (intro.) is amended to read:

ILHR 67.05 ENERGY EFFICIENCY STANDARDS. Any building containing rental units, except those specified in s. ILHR 67.03 (2), the title of which is transferred 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).

SECTION 19. Table 67.05 is repealed and recreated to read:

TABLE 67.05

And the second s	AMOU	NT OF	INSULATION REQU	LATION REQUIRED		
	If R-0 to R-10 is		R-11 to R-18 is	If R-19 or more		
BUILDING ELEMENT	present initially	pres	ent initially	is present		
Ceiling (f)(i)	R-38	Ьру	R-19	None		
BUILDING ELEMENT	If R-0 to R-2.5 is present initially		R-3 to R-10 is sent initially	If R-11 or more is present initially		
Box Sills (c) Side Walls(c)(f)(i) Floors over un- heated basements or unheated crawl spaces (a)(c)(e) (g)(h)	R-19 R-11 R-19	None	R-11 R-11	None None None		
BUILDIN	G ELEMENT		AMOUNT OF INS	ULATION REQUIRED		
Heating Supply Duct Unheated Basement Steam Heating Pipes Hydronic Heating Pi Domestic Hot Water Circulating Noncirculating Wi	(b) pes (b) Pipes	and		R-5 R-4 R-2		
Water Heater Access Panels or Do Unheated Areas				R-2		
Horizontal		R-19				
Vertical Foundations (d)(e)			R-5			
grade) or	grade and to 18" belo	w		R-5		
Interior (full he	:19nt)	anga dana ing mga kandiga diga ang		R-5		

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

<sup>(</sup>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.

SECTION 20. ILHR 67.05 (2) is amended to read:

ILHR 67.05 (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, hopper and awning 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.

SECTION 21. ILHR 67.05 (3) is amended to read:

ILHR 67.05 (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.

SECTION 22. ILHR 67.05 (4) is amended to read:

ILHR 67.05 (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 or dryer vents and joints in the siding.

SECTION 23. ILHR 67.05 (5) is amended to read:

ILHR 67.05 (5) DOORS. Exterior doors and patio Patio doors shall be insulated, double glazed or equipped with a storm door, or shall be provided with an air lock vestibule. 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.

SECTION 24. ILHR 67.05 (7) is amended to read:

ILHR 67.05 (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 restricters rated at three 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: 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 Tullic Circle, N.E. Atlanta, Georgia 30329.

SECTION 25. ILHR 67.06 is repealed and recreated to read:

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.

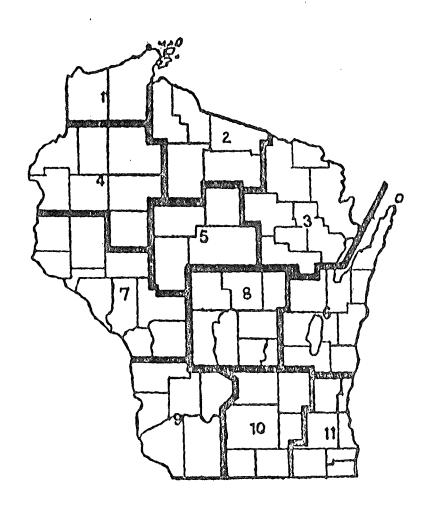
Note: See Appendix for an example of the application form (SBD-7303).

- (2) PROCESSING APPLICATIONS FOR EXEMPTIONS. (a) <u>Information required</u>. 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;
- (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			
Zone	3	-	8,460
Zone	4	-	8,721
Zano	۲,	_	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 = 
$$\underbrace{\text{(Ui - Uf)} \times A \times D \times 24}_{\text{K} \times \text{V}}$$

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.
- Ui = U value of the existing building element, including any insulation that is already contained in the building element being evaluated, expressed in  $Btu/hr ft^2-F^\circ$ .
- Uf = 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  $Btu/hr ft^2-F^\circ$ .
- 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/Gas
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) <u>Cost payback</u>. The cost payback period shall be calculated using the following formula:

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

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 five years, the specific energy measure shall be installed.
- (6) PAYBACK EXCEEDS 5 YEARS. If the payback period (P.B.) is more than five 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.

SECTION 26. ILHR 67.07 (1) Note is created to read:

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

SECTION 27. ILHR 67.08 (1) (intro.) is amended to read:

ILHR 67.08 (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.

SECTION 28. ILHR 67.08 (1) (a) is amended to read:

ILHR 67.08 (1) (a) Certificate forms and transfer authorization stamps. Any certified inspector may obtain certificate forms and transfer authorization stamps from the department.

SECTION 29. ILHR 67.08 (2) (intro.) is amended to read:

ILHR 67.08 (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. The waiver shall be on forms approved by the department and signed by the purchaser. 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).

SECTION 30. ILHR 67.08 (2) (a), (b), (c) and (d) are renumbered (b), (c), (d) and (e) respectively.

SECTION 31. ILHR 67.08 (2) (a) is created to read:

ILHR 67.08 (2) (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.

SECTION 32. ILHR 67.08 (3) (intro.) is renumbered ILHR 67.08 (3) (a) and is amended to read:

ILHR 67.08 (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).

SECTION 33. ILHR 67.08 (3) (b) is repealed.

SECTION 34. ILHR 67.08 (3) (a) is renumbered ILHR 67.08 (3) (b) and is amended to read:

TLHR 67.08 (3) (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.

SECTION 35. ILHR 68.09 (3) (c) is created to read:

ILHR 68.08 (3) (c) "Stipulation inspection". Once the new owner has installed the necessary energy conservation measures, he shall apply for inspection from a certified inspector, authorizing municipality or the department.

- 1. If upon inspection, 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 of 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.

SECTION 36. ILHR 67.10 is amended to read:

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 is not required to record the certificate, but shall file a shall record the certificate, waiver or stipulation.

SECTION 37. Ind 69.24 is created to read:

- Ind 69.24 RENTAL UNIT ENERGY EFFICIENCY PROGRAM. Pursuant to s. 101.19 (1)
  (i), Stats., the fees to administer and enforce s. 101.122, Stats., are as
  follows:
- (1) TRANSFER AUTHORIZATION NUMBER STAMPS. A fee of \$10.00 shall be remitted to the department for each DILMR transfer authorization number stamp used to authorize certificates of compliance, stipulations and waivers.
- (2) APPLICATIONS FOR EXEMPTION. A fee of \$10.00 shall be remitted to the department when an application for exemption is submitted to the department.
- (3) APPLICATIONS FOR STIPULATION. A fee of \$20.00 shall be remitted to the department when an application for stipulation is submitted to the department.
- (4) APPLICATION FOR WAIVER. A fee of \$20.00 shall be remitted to the department when an application for waiver is submitted to the department.

- (6) APPLICATION FOR CERTIFICATION. (a) Maximum fee. The maximum fee for inspection and certification of rental units by the department, authorizing municipality or any certified inspector, shall be as follows:
  - 1. Up to 2 Rental Units . . . . . . . . . . . . \$200
  - 2. Three to 8 Rental Units . . . . . . . \$200 plus \$50 for each additional rental unit over 2
  - 3. Over 8 Rental Units . . . . . . . . . . . . . . . . . \$500 plus \$25 for each additional rental unit over 8 rental units
- (b) Scope of fee. The inspection and certification fee shall cover the cost of performing an initial inspection, issuance of the certificate, notification of noncompliance, inspections to secure compliance and a final inspection for determining compliance. If after an initial inspection, a notice of noncompliance is issued and upon reinspection the unit has not been brought into compliance, the inspector may charge an additional fee to offset the cost of further inspection. Any additional inspection required shall be charged on an actual cost basis including salary and actual travel expenses. If after an initial inspection, a notice of non-compliance is issued and upon reinspection all the required energy measures were installed, no additional charges may be made for any further inspections. Further inspections may be necessary to assure that the proper energy measures are installed in response to any additional points of non-compliance.

(END)

#### Effective Date

Pursuant to s. 227.026 (1) (b), Stats., these rules shall take effect on January 1, 1985.

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#### 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.

2)	Coefficients f	or the heating values of fuel, the annual function of the property of the prop	urnace efficiency and the heating effect versus	2)
3)		l, the number of DD, times the coefficient,		3)
by t	ia a designatio he inverse rela	n for thermal transmittance and stands for a	sn overall coefficient of heat transfer. U compare s is equal to the inverse of the resistance. The r	s to thermal resistance
thre	e ways of deter Cailings, a sec	mining the product AllxArea that are specifi	multiplied by the area of the building element bei ic to particular building elements. There is a sec x Silla and Floors, and a section for determining t performing the analysis on.	tion for determining the
		4) 4 5) CALCULATION OF (AUX Area)	(complete only one section)	
		more of the following types of construction	prised of several different types of construction. n; flat roof, sloped roof, or roof with stic space 4s. Only fill out the construction types which ar	. Transfer the
	CEILINGS	<ul> <li>4a) Refer to Table 2 and enter the change in U (△U) due to insulation</li> <li>4b) Carefully measure the calling area of each type of construction in your rental unit and enter here</li> <li>4c) Hultiply line 4e) by line 4b)</li> </ul>	ROOFWATTIC SLOPED ROOFW F  4a)	LAT ROOP
		5a) Add all the products of line 4c and ec 5b) Go to line 6	nter the resulting (\( \sum_{\text{UxA}}\) value here	∆U <sub>A</sub>
	S,	Values of \( \sum_{U} \) are given in Table 2 for wall it below.  4a) Insulating option being chosen; check of	ts*, box sills and floors. Select the appropriate  one: Walls*(1) Box Sills(2)	△U value and enter  Floors(3)
	SILL	4b) Enter the value for \( \subset U	4b) <u>\</u> U	
	BOX S	4c) Enter the area to be retrofitted	' 4c) Area X	
	BO	5a) Multiply line 4b) by line 4c) 5b) Go to line 6	Sa) DUXA	
	1	44) Basement or Cravi Space insulating optimization Exterior(1)	ion being considered by owner (check one): Foundation Interior(2)	
		4b) Height of Foundation Wall Above Grade	4b) It. (round off to nearest f	00 € )
		4c) Inside height of Foundation Wall	4c)	
		4d) Perimeter Length around Besement	Add Market Market )	
	S	4e) Gross Area of Foundation: 4c) X 4d)=		401
	FOUNDATIONS	basements and Table 3B for crawlapaces. Di are considering an option for inside or fo	able 3 "CHANGE IN U. DASEMENTS & CRAWINDPACES" below a line under row I or row II in the table depen routside insulation. Read across the row to the cwall and circle your selection for the "Change in U	ect Table 3A for ding on whether you olumn that shows
	NOC	4f) Change in U from Table 3A or 3B	41) (10-	
	ŭ	5a) Line 4a) X Line 4f) 5b) Go to line 6 Note: Floor and basement U value tables has A more complete series/parallel analysis w	5a) ∧ U x A =	pter 1140% 67.
	* Slop	ed flat roofs and walls require insulation	only if accessible.	
	6) Enter the	△ UA product here	. 6) Δ UA *	
	7) Enter the	results of line 3	7) line 3 =	`
		line (6) д line (7) to obtain annual saving is given in fuel units shown in Table 1)	a 8) 1 year savings	
	9) To obtain	the estimated dollar savings, multiply line	a 8 times your fuel cost (per unit).	
	STUEL COL	t/unit X	- Annual Dollar Savings - \$	pa

1) Select the number of heating degree days for your region from Fig.1. (Units-Fday).

#### Wisconsin Division of State Energy Degree Day Zones

TABLE 1

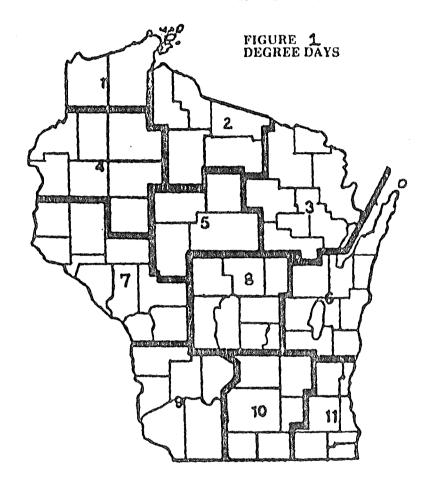
FUEL	COEFFICIENT	UNITS OF SAVINGS
	FOR LINE 2	IN LINE 6
l.P	.0004053	\$/Gal.
oi t	.0006678	\$/Cal.
Natural Cas	.0003709	\$/CCF
Electricity	.005977	\$/KWI
Wood	1.47×10 <sup>-7</sup>	\$/Cord

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

Construction Type	Initial R Value	Final R Value	Δů	
CEILING	<del> </del>			
Unfloored Attic	0	38	.542	
Unfloored Attic	10	38	.055	
Unfloored Attic	11	30	.049	
Floored Attic	0	19	.1570	
Floored Attic	3.5	19	.013	
Fiat Roofa	0	19	.114	
Cathedral Cailings	0	11	.205	
Carnedral Ceilings	0	19	.231	
BOX SILL	0	19	.180	
	3.5	19	.083	
AALL (open cavity)	0	11	.327	
•	3.5	11	.100	
FLOOR	0	19	. 194	
· <del>-</del> ·	3.5	19	.021	

Choose the change in U value based on 1) the type of construction, 2) the initial R value that is most similar to the level existing in the construction, and 3) the final R-value as required by ILHR 67.05.

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



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

TABLE 3 CHANGE I	J. BASEMENT & CRAWLSPACE WALLS	
JA) BASEMENT WALLS		were and
Height Above Ground Level Change in U INSIDE INSULATION Change in U OUTSIDE INSULATION	0ft 1ft 2ft 3ft 5ft 7ft 100 .083 .119 .155 .190 .252 .274 .048 .087 .126 .165 .243 .274	
3B) CRAWLSPACE WALLS  Height Above Ground Level Change in U Inside Insulation Change in U Outside Insulation	1ft 2ft 3ft 4ft	

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

	and the state of t	handers and the same of the sa
o) ARRUME DOLLAK SAVINGS Enter from line (9) or rom an alternate analysis (must be attached)	10) Annual Savinge "	9
1) Datermine the 3 year savings (assume no inflation)	11) (Line 10) x 5 = 5 year so	svings = \$
<ol> <li>Cost of the retrofit (must be documented with an estimate signed b the issuing contractor):</li> </ol>	y 12) Cost of Retrofit	ż
3) 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.
4) If the energy conservation measure will not pay for itself in ener HR to recieve an exemption number. Check your calculations and be sur stimate. A processing fee of \$10 must accompany the application for e	s to include the documentation of	your fuel cost and insulatio
HR to recieve an exemption number. Check your calculations and be sur	w to include the documentation of nemption. Submittals must include documented method) he old) r)	your fuel cost and insulation
HR to recieve an examption number. Check your calculations and be sur stimate. A processing fee of \$10 must accompany the application for e 1. A Completed Application, signed (pages 1 and 4) 2. 5 YR. Payback Calculations (Vorksheet on pages 2 & 3 or other 3. Drawings and Pictures depicting the conditions.  4. Documentation of Unit Puel Cost (Fuel billing less than 6 mont 5. Cost Estimate of the Conservation Heasure (signed by contracto 6. \$10 Application Fee.	w to include the documentation of nemption. Submittals must include documented method) he old) r)	your fuel cost and insulatio

All questions and comments concerning this application should be directed to Bill Dosch, Weatherization, Diver 0.Box 7969, Hadison, 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	-F-ATTOR
Blown fibergless or mineral wool	l la.	3.00
Blanket or betts (f-glass or mineral wool)	3-1/2"	11 00
Blanket or batte (f-glass or mineral wool)	6**	19.00
Cellulose (paper pulp)	1"	3.70
Polystyrens (molded beads) fosm	1"	3.57
Polystyrens (extruded emooth skin) foss	1"	5.00
Urea Formaldehyde foem	1"	(4.00)
Urethana (agad) foam	] 1"	6.25
Vermiculite	1"	2.27

table reprinted from How to Figure Heat Loss & Fuel Cost by D.J. Smith, T.J. Brevik and L.A. Brooks.

2092)

#### Rental Unit Energy Efficiency Standards

Wisconsin Department of Industry Labor and Human Relations Division of Safety & Buildings P.O. Box 7969 Madison, Wi, 53707

#### -APPLICATION FOR INSPECTION-

Name	me			Number of Owelling L			Manager or Agency	
				☐ 1, ☐ 2-4, ☐ 5 or	<del></del>	_		
				Has a Stipulation eve		If yes:	Street & No.	
				issued for bldg? [] Y		8.		
Streot	A No.			Building Location, Str	cet & No.		City	State & Zip
City			State & Zip	City	Village	Town	Phone	***************************************
Owner	's Tele	phone Nur	nber	County			Person to contact for inspectio	n
•							Owner Manag	301
	you no Alt	andards, Theed to rece ter complet ster Author	ne questions below allow vive a Certificate from a re ting the questionnaire be rization," you may still wi	you to determine whethe ental unit inspector certif low, if you have determ sh to retain this question	r your rental uied by the Delined that your inaire in case	init must comply partment of Indus rental unit is ex your Register of	quest an inspection to check for c with the Energy Conservation Re- try, Labor and Human Relations cluded and will not require a "C Deeds requires proof of the excl	gulations, and if Certificate <sup>re</sup> and lusion.
	To	request at	n inspection, send this cor	npleted form to the inspi	ector you have	o chosen". Be sur	e that this request form is compl	etely filled out
					REFERE	ENCE ILHR 67.03		
	YES	МО						
	()	()	is the dwelling unit	only rented between Apr	il 1 and Octob	per 31?		
	()	()	Does the building ha	ave four rental units or le	asa, one of wh	nch is owner occ	upied?	
	[]	! 3	The building has no	t more than two dwelling	units, was co	onstructed after C	ocumber 1, 1978, and is less tha	n 10 years old.
	[]	O	The building has mo	ore than two dwelling un	its, was const	ructed after April	15, 1976, and is less than 10 yea	rs old
	{ <b>.</b> }	Ð	is the building a mo	bile home?				
	{ }	(1)	is the building a mo	tel or hotel used primari	ly for transion	nt residency?		
	ť	1.3	is the building a hos	spital or nursing home?				
	$\Box$	13	· -	•		•	before January 1, 19857	
		of the abor a not necet		ed "yes" the building is	excluded from	the requirement	s of Chapter ILHR 67 and applicat	ion for certifica-
	I have Efficie	ency Inspe	d the questionnaire above clor before ownership car	and have determined than be transferred. Please	t the rental unischedule an a	it described herei ppointment for in	n will require cartification by a Respection.	ntal Unit Energy
_			r(s) Signature itions of Inspection and Is	re schedule are attached	)		C	alo
	Requi	est for insp Description	pection must include the land of Property (see deed	ollowing information: or survey);	٠,			
						•	•	
		•						
1					•			
1								
1	,	,						

\*Current listings of certified inspectors (statewide) are available from. Department of Industry, Labor and Human Relations, Salety and Buildings Division, Post Office Box 7969, Madison, Wisconsin 53707, For Inspection information, call 608-268-3151.

nuc. No.	

## Efficiency Standards

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

## **Certificate of Compliance**

ame of all Owners	Number of Dwelling Units		Recording Information (leave blank)
	Building Location, Street & No.		
ilical & No.	City	County	
ity State & Zip	Manager or Agency		
wner's Yelophone Number	Manager's Address		
tas this unit over been issued a	Manager's Telephone Number		
itipulation? 🗆 Yes 🗀 No	· ·		

#### 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 1 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		7	FAIL		PASS	EXEMPTION	N	
		1	2	3		NUMBER*	A	
Coiling	A-	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	A-	Must add R =		Γ				
Heal Pipe	R=	Must add R =						1
Attic Door	R=	Must add R =		Γ	П			
Foundation	R=	Must add R ≈						7
Windows								
Weatherstripp	ing							$\top$
Caulking				Γ				
Storm Doors	<del></del>			T	П			$\neg$
Attic & Crawl	Space Ven	tilation		1	$\sqcap$			$\neg$
Shower Flow Restrictor			Γ	П			$\neg$	
Air Conditioner Cover			T	П			$\top$	
Water Heater	insulation	<u> </u>		T	$\Box$			1
Space & Water	r Heater In	spection		T	П			$\top$
		a ladicates desardence			فميجة		<del>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</del>	

	INSPECTION DATES
1	
2	
3	
4	

Section 101.122, Wisconsin Statutes, requires that an Energy Efficiency Certificate, Stipulation or Walver 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 Walver In accordance with ILHR 67.08.

OILHA Exemption	ı Numbar	indicates	department	acceptance
-----------------	----------	-----------	------------	------------

CE	RTIFICATE	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	Inspector Signature Date Certified		Certified Inspector Number	Place DILHR		
				Transfer		
This Certificate is valid for 5 years		DILH	R Transfer	Authorization		
signature at right and is transferrable during that period.		Auch	orization Number: C -	Number Stamp		
		Autili	ALTERIOR LANGUAGE CO.	Hore		

Nb Efficiency S	St
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Efficiency Standards

Division of Safety & Buildings P.O. Box 7969 Madison, Wi. 53707 (608) 266-3151

#### Waiver

ime of all Owners		Number of Owelling Units		Recording Information (Leave Blank)
		Building Location, Street & N	lo.	~
reet & No.		City	County	
ity	State & Zip	Manager or Agency		
wner's Telephone Number		Manager's Address		
agal Description of lental Unit Property:		Manager's Telephone Numb	er	

Section 101.122, Wisconsin Statutes, requires that an Energy Efficiency Certificate, Sliputation or Walver authorized by the Department of Industry, Labor an Human Relations (DILMR) must accompany the documents of transfer for rental unit ownership changes. This process is defined in Chapter ILMR 67, Wiscons Administrative Code. Receipt of a Certificate indicates conformance with ILMR 67.05. In fieu of the Certificate, the purchaser may accept responsibility from program compliance with either a Stiputation under ILMR 67.08(3), or a Walver of Certificate under ILMR 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 Efficience 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 purchase sign the signature-address block below right. The Waiver must then be submitted to the Department of Industry, Labor and Human Relations or your municipatity if they are authorized. Your municipatity can telt you if they are authorized to validate a Rental Unit Energy Efficiency Waiver and of the fees involved. If you municipatity 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, Rentu Unit Energy Efficiency Program, P.O. Box 7969, Madison, WI 53707. For administrative reasons, the fee must accompany the application for Waiver, Upc 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.

#### 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 demotition I (wa) 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 Walver is Purchasers' Signature(s) 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 DILHA, Safety and Buildings Division. This proof must be received within nine (9) months after the Walver has been validated by the authorized agency or DILHR. Purchaser's Street & No. City State & Zip Signature of Agency Official Date **Expiration Date** Place DILHIT Transfer Authorization **DILHR Transfer Authorization** Authorizing Agency Number Stamp

Number: W - \_\_

Here

Hontai	Unit	Ener	. BA
Efficien	cy St	anda	ards

Wisconsin Department of Industry Labor and Human Relations Division of Safety & Buildings P.O. Box 1969 Madison, WI, 53707 (608) 268-3151

### Stipulation

tame of all Owners	Number of Dwelling Units		Recording Information (Leave Blank)
	Building Location, Street &	No.	
Bueel & No.	City	County	
City State & Zip	Manager or Agency	a, dan semantang dan gapat Bayaran Arenda garan Arenda Perila Perila Arenda Perila Arenda Arenda Arenda Arenda	
Owner's Telephone Number	Manager's Address	وساري د گورود که د همواه که داده د سانده ساند میشود کورد در د	
egal Description of tental Unit Property:	Manager's Telephone Nym	nber	

Section 101,122, Wisconsin Statutes, requires that an Energy Efficiency Certificate, Stipulation or Walver authorized by the Department of Industry, Labor er Human Relations (DILHR) must accompany the documents of transfer for rental unit ownership changes. This process is defined in Chapter ILHR 67, Wiscons Administrative Code, Receipt of a Certificate Indicates conformance with ILHR 67.05, to flow of the Certificate, the purchaser may accept responsibility to program compliance with either a Stipulation under ILHR 67.08(3), or a Walver of Certificate under ILHR 67.08(2).

Dur. No. -

The seller of a rental unit may present this Stipulation algued 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 in 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 pur chaser sign the signature-address block below right. The Stipulation must then be submitted to the Department of Industry, Labor and Human Relations or a authorized municipality to receive validation. Your municipality can tell you if they are authorized to validate rental unit energy efficiency stipulations and what tees are involved. If your municipality is not authorized, the Stipulation and a fee of \$20,00 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.

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							
ing that the property transfer has not yet taken place submitted to DILHR, Safety and Buildings Division	other date (i.e. copy of transfer return or documentation show- ing 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 (8) months after the Stipulation has been validated by the authorized agency or DILHR.			Purchaser's Street & No.			
					itate & Zig	)	
Signature of Agency Official	Date	<del></del>		Expiration Date		Place DILHR	
						Transfer	
Authorizing Agency			DILHR T	l ansfer Authorization		Authorization	
a segmental segural						Number Stamp	
			Number;	S		Hore	

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