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TOBIAS READ  
SECRETARY OF STATE

MICHAEL KAPLAN  
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION

STEPHANIE CLARK  
DIRECTOR

800 SUMMER STREET NE  
SALEM, OR 97310  
503-373-0701

**PERMANENT ADMINISTRATIVE ORDER**

**DOE 1-2025**

CHAPTER 330  
DEPARTMENT OF ENERGY

**FILED**

01/22/2025 1:40 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Oregon Rental Home Heat Pump Program Amendments and Adoption

EFFECTIVE DATE: 01/27/2025

AGENCY APPROVED DATE: 01/17/2025

CONTACT: Kaitlin Lynch  
503-378-4040  
kaitlin.r.lynnch@energy.oregon.gov

550 Capitol St. NE  
1st Floor  
Salem, OR 97301

Filed By:  
Kaitlin Lynch  
Rules Coordinator

**RULES:**

330-280-0070, 330-280-0080, 330-280-0140

AMEND: 330-280-0070

REPEAL: Temporary 330-280-0070 from DOE 5-2024

NOTICE FILED DATE: 11/13/2024

**RULE SUMMARY:** The rule makes permanent a temporary rule that expands the eligibility criteria for incentives for low- and moderate-income tenants. The added language expands the methods that owners of rental housing where a member of a federally recognized Tribe resides can qualify for higher rebates and grants.

**CHANGES TO RULE:**

330-280-0070

**Low- or Moderate-Income Eligibility**

(1) In order to qualify for a rebate offered under the program for low- or moderate-income tenants, the owner of the dwelling where the installation will be located must provide proof of eligibility. Proof of eligibility shall be provided in at least one of the following ways:¶

(a) The owner provides the Department with a U.S. Internal Revenue Service or Oregon Department of Revenue tax transcript for each tax filer residing at the dwelling where the heat pump shall be installed. A tax transcript must be for the most recent tax filing year immediately preceding the current year, or the transcript for the year prior if the tax return for the most recent tax filing year has not yet been filed. A transcript must also demonstrate the household adjusted gross income is less than or equal to 100 percent of state median income adjusted for the applicable household size.¶

(b) The owner provides the Department an eligibility notice for the household residing at the dwelling where the heat pump shall be installed that a member of the household has received in the past seven months for one of the following Oregon Department of Human Services, Oregon Health Authority, or Oregon Housing and Community Services programs or for one of the following programs administered by a federally recognized Tribe or Tribally Designated Housing Entity:¶

(A) Supplemental Nutrition Assistance Program (SNAP);¶

(B) Oregon Health Plan (OHP) (Medicaid);¶

(C) Children's Health Insurance Program (CHIP).¶

(D) Temporary Assistance for Needy Families (TANF);¶

(E) Low Income Home Energy Assistance Program (LIHEAP);¶

(F) Oregon Energy Assistance Program (OEAP);¶

(G) Low Income Weatherization Assistance Program.¶

(c) The owner provides proof they are currently qualified under one or more of the following programs administered by Oregon Housing and Community Services at the rental housing where the heat pump shall be installed:¶

(A) A housing capital funding offering issued through a Notice of Funding Availability;¶

(B) Low Income Housing Tax Credits;¶

(C) Oregon Multifamily Energy Program;¶

(D) Conduit/Pass-Through Revenue Bond Financing Program;¶

(E) Local Innovation and Fast Track Housing Program;¶

(F) Loan Guarantee Program and General Guarantee Program; or¶

(G) Oregon Rural Rehabilitation Loan Program.¶

(d) The owner provides the Department proof they are participating in the Housing Choice Voucher Program (Section 8) at the dwelling the heat pump shall be installed.¶

(e) The owner provides the Department proof that either:¶

(A) They provide activities and services funded by the United States Department of Housing and Urban Development Indian Housing Block Grant at the rental housing where the heat pump shall be installed; or¶

(B) The rental housing where the heat pump shall be installed was constructed using funds from the United States Department of Housing and Urban Development Indian Housing Block Grant.¶

(f) The owner provides the Department a certification, issued in the past 12 months, that a Tribal member residing at the dwelling where the heat pump shall be installed is qualified as low- or moderate-income, as attested to by a federally recognized Tribe or Tribally Designated Housing Entity.¶

(2) The Department will provide low- or moderate-income eligibility certification forms to contractors. For each installation where the customer claims eligibility for the rebate rate for low- or moderate-income tenants, all legal owners of the dwelling or their representative must sign the form certifying that the information is accurate. The contractor must submit a scanned copy of the form and accompanying documentation to the Department as part of the reservation application.

Statutory/Other Authority: Oregon Laws 2022, Chapter 86 (Senate Bill 1536), ORS 469.040

Statutes/Other Implemented: Oregon Laws 2022, Chapter 86 (Senate Bill 1536)

RULE SUMMARY: The rule adds a provision to allow a contractor to request reinstatement of a rebate reservation, if a heat pump was installed and passed final inspection prior to the reservation expiring, but the rebate was not claimed prior to the expiration date. The rule also allows for this provision to apply to rebate reservations that were denied for this reason, from the start of the program to the date the rules are in effect.

CHANGES TO RULE:

330-280-0080

Reservation Process

- (1) Contractors must submit a reservation application to reserve a rebate for a heat pump using the Department's designated software system. The Department may begin accepting reservation applications on or after May 1, 2023 from contractors who have established eligibility under the program.¶
- (2) A contractor must submit a reservation application before installing a heat pump.¶
- (3) The following information about the purchase and installation of a heat pump must be provided to the Department on the reservation application:¶
  - (a) Name of customer;¶
  - (b) Address of installation;¶
  - (c) Heat pump specifications, as listed in the Department's software system;¶
  - (d) Declaration from contractors that the heat pump is appropriately sized to the space or structure and heat pump sizing calculation information;¶
  - (e) Whether the customer claims to be qualified under the low- or moderate-income eligibility requirements;¶
  - (f) Eligible costs for the purchase and installation of the heat pump;¶
  - (g) Whether the project will receive any other incentives;¶
  - (h) Amount of other incentives, if applicable;¶
  - (i) Copy of a signed installation agreement that details the address where the installation will occur, the customer name, the cost, heat pump equipment details, warranty information, and other information as requested by the Department; and,¶
  - (j) Other information as requested by the Department.¶
- (4) The Department will review reservation applications in the order that they are received and will provide written notice to the contractor once a reservation application has been approved or denied. Subject to the availability of funds, program funds will be reserved for a project following departmental approval of a reservation request.¶
- (5) A reservation for a rebate is valid for 180 days unless extended under OAR 330-280-0090. If a rebate is not claimed within 180 days and the reservation is not extended, the reservation will no longer be valid. A contractor may reapply if the reservation expires.¶
- (6) If a reservation application was approved and a heat pump installed and passed final inspection within the 180-day reservation period or, if extended, the 360-day reservation period, but the rebate was not claimed within that period, a contractor may request reinstatement of the previously reserved rebate. The Department may approve the request if the previously reserved funds are still available. The contractor must submit the reservation reinstatement request within the following timeframes:¶
  - (a) If the heat pump was installed from July 1, 2023, through February 14, 2025, the request must be received prior to May 1, 2025; or¶
  - (b) If the heat pump was installed after February 14, 2025, the request must be received within 90 days of the reservation being denied.¶
- (7) At the time of submission of a rebate reservation application, or through an amendment, a contractor may submit an application for a grant for upgrades that facilitate the installation of the heat pump on behalf of the owner. ¶
- (78) The following information about the upgrades must be provided to the Department on the application for a grant:¶
  - (a) Name of owner;¶
  - (b) Address of upgrades;¶
  - (c) Description of the upgrades;¶
  - (d) Whether the owner claims to be qualified under the low- or moderate-income eligibility requirements;¶
  - (e) Eligible costs associated with the upgrade;¶
  - (f) Whether the project will receive any other incentives;¶

(g) Amount of other incentives, if applicable; and,¶

(h) Other information as requested by the Department.

Statutory/Other Authority: Oregon Laws 2022, Chapter 86 (Senate Bill 1536), ORS 469.040

Statutes/Other Implemented: Oregon Laws 2022, Chapter 86 (Senate Bill 1536)

ADOPT: 330-280-0140

REPEAL: Temporary 330-280-0140 from DOE 5-2024

NOTICE FILED DATE: 11/13/2024

RULE SUMMARY: The rule makes permanent a temporary rule outlining the transfer of funding from the Community Heat Pump Deployment Program to the Oregon Rental Home Heat Pump Program.

CHANGES TO RULE:

330-280-0140

Funding Transferred from the Community Heat Pump Deployment Program

- (1) Funds transferred from the Community Heat Pump Deployment Program to the Oregon Rental Home Heat Pump Program under Senate Bill 1525 shall be used in the provision of grants and rebates under the Oregon Administrative Rules Chapter 330 Division 280 and associated administrative costs and expenses. A rebate for the purchase and installation of a heat pump and grant for upgrades to facilitate the installation of the heat pump, financed by these transferred funds, shall be provided to an eligible dwelling that is occupied by a member of a federally recognized Tribe in Oregon for which no eligible entity has been awarded a grant under ORS 469B.460.¶
- (2) Each Tribe must have the same amount of funding allocated for that Tribe under the Oregon Rental Home Heat Pump Program as was allocated for that Tribe under the Community Heat Pump Deployment Program.¶
- (3) In order to qualify for a rebate funded by moneys allocated for eligible dwellings occupied by a member of a specific federally recognized Tribe in Oregon, the owner of the dwelling where the installation will be located must provide proof of the tenant's Tribal membership to the Department. Proof of Tribal membership shall be provided in at least one of the following ways:¶
- (a) A tribal enrollment card;¶
  - (b) A letter from a Tribal enrollment officer;¶
  - (c) A Bureau of Indian Affairs (BIA) Certificate of Degree of Indian or Alaska Native Blood (CDIB); or¶
  - (d) Verified documentation of eligibility for the Indian Health Service as an American Indian or Alaska Native.
- Statutory/Other Authority: Oregon Laws 2022, Chapter 86 (Senate Bill 1536), ORS 469.040
- Statutes/Other Implemented: Senate Bill 1525 (2024), Oregon Laws 2022, Chapter 86 (Senate Bill 1536)